

MEXICAN YEAR BOOK

1920-1921



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The Standard Authority on Mexico

1920-21

EDITED BY

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PREFACE

The Mexican Year Book is issued to meet the demand for unbiased and systematized information concerning Mexico. The book has furthermore been written expressly for the *American* public, and has no connection, official or unofficial, with the Mexican government. This is in contradistinction to former Mexican Year Books, which were compiled primarily for English use and claimed some measure of official patronage. These ceased publication in 1914.

In dealing with Mexican figures absolute accuracy is an ideal to be striven for, but one never likely to be attained. Of recent years, moreover, the difficulty of obtaining reliable data has been greatly increased by the confusion into which the recent revolutionary disturbances have thrown so many of the sources upon which one is dependent for official information and statistics. In this dilemma, the files of the Doheny Foundation, now at Occidental College, have proved to be of the greatest benefit.

Much of the credit for the merits of the volume is to be given to those scholarly contributors whose names appear on another page. In large part they have made the book possible, and the editor offers them his unfeigned gratitude. It is also advisable to add that the unsigned articles appearing in the Year Book, with the exception of the Foreword to the Constitution of 1917, were written by the editor.

There are certain inconsistencies of a minor nature in the mechanical makeup of the volume which the critical reader will easily discover for himself. Among the most marked of these is the variable use of the accent in the spelling of Spanish names. For such departures from uniformity the editor acknowledges sole responsibility.

A word of deep regret remains to be recorded. When the publication of the Year Book was first proposed, the Honorable Franklin K. Lane—a man whose long career in public office closed without a stain, and whose intimate acquaintance with Mexico and Mexican conditions made him universally recognized as an authority upon that country—agreed to write an introduction to the volume. Death came before the article was finished.

It was the belief of Mr. Lane, shared by many others, that the interests of Mexico and of the United States would both alike be served if the American people knew more about Mexico and better appreciated its problems and possibilities. The Mexican Year Book is dedicated to the fulfillment of this object.

ROBERT G. CLELAND.

Los Angeles, California,
December 15, 1921.

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SECTION I—HISTORY AND GEOGRAPHY

HISTORICAL SUMMARY

I. BEFORE THE CONQUEST

The Original Inhabitants: When Cortés landed on the red sand plains of Vera Cruz four hundred years ago, he found a country whose inhabitants differed greatly among themselves in language, customs, and cultural development.

A certain degree of unity and a high order of civilization had been attained in the Valley of Mexico, where the Aztecs held sway; but to the north was a large population of uncivilized, or "wild," Indians, such as the Apaches, the Seris, and the Yaquis—tribes whose characteristics and manner of life differed in no respect from those of their kinsmen living in what is now Arizona and New Mexico. South of the Aztec center dwelt a people of another type. Oldest, probably, and in many respects most civilized, most persistent, and certainly most mysterious of all the races of Mexico, were these Mayas of the Guatemalan border and of the Peninsula of Yucatán. Their great stone temples at Palenque, Uxmal, and Chichén Itza were already centuries old when the Spaniards came, and the origin of their civilization was even then lost in the mists of antiquity.

The central part of Mexico was populated by many tribes of varying degrees of civilization. Chief of these at the time of the Spaniards were the Aztecs. But the Aztecs constituted only one branch of a much older and larger family called the Nahua, which occupied most of modern Mexico south of a line running from Tampico on the Gulf to San Blas on the Pacific. Other important branches of this Nahua family were the Toltecs and Chichimecs.

Besides these, there were innumerable other tribes whose origin and racial connection have long been matters of speculation and uncertainty. Indeed, the whole question of the origin of the peoples of Mexico is one that still perplexes archaeologists and ethnologists alike. Some authorities endeavor to trace the Maya and Aztec beginnings back to Asia, to Africa, or even to the fabled continent of Atlantis. And at least one devout, if misguided Englishman, Lord Kingsborough, spent a princely fortune seeking to identify the more highly civilized peoples of Mexico with the lost ten tribes of Israel! Yet to this very day, no one can say definitely from what ancient race these peoples sprang, or whence they began their long migrations to the peninsula of Yucatán and the land of Anáhuac.

It is generally agreed, however, that the various peoples who inhabited Mexico before the Spaniards, came into the country from the north in a series of great waves or migrations. Earliest of all, so far as it is possible to determine, were the Mayas who settled in Yucatán probably about the third century, A. D. Almost contemporaneous with the Mayas were the Zapotecas, a hardy, independent people of Oaxaca and Guerrero. Next came the Otomíes, from whom many of the sedentary tribes of central and southern Mexico are sprung. They occupied the region now included in the states of San Luis Potosí, Guanajuato, Michoacán, Mexico, Querétaro, and Morelos.

Not long after the Otomíes, came the first of the Nahua family—the Toltecs, a race much farther advanced than the Otomíes, whom they either subdued or drove out of their original possessions. The Toltecs built up a comparatively well organized kingdom, with its capital at the modern city of Tula, about 30 miles northwest of Mexico City. But after a period of ascendancy their power in turn was overthrown. One explanation given for this was the over-indulgence of the tribe in *pulque*, a drink which it is believed they discovered. About the same time a roving, warlike people, called the Chichimecs, began to dispute their supremacy. The Chichimecs, though inferior to the Toltecs in civilization, were much their superiors in military ability, and soon displaced them as the dominant factor in Central Mexico.

The Aztecs: Lastly came the Aztecs, the most important branch of the Nahua family. The origin and early history of this people is so obscure and interwoven with myth that the historian can do little better than fall back upon the interesting legend which tells of the founding of the Aztec empire. The story, according to one version, runs as follows:

“The Mexicans came also from the remote regions of the north.... and arrived on the borders of Anáhuac (Valley of Mexico) toward the beginning of the fourteenth century, some time after the occupation of the land by the kindred races. For a long time they did not establish themselves in any permanent residence, but continued shifting their quarters to different parts of the Mexican Valley. After a series of wanderings and adventures they at length halted on the southwestern border of the principal lake, in the year 1325. They there beheld, perched on the stem of a prickly pear, which shot out from the crevices of a rock that was washed by the waves, a royal eagle of extraordinary size and beauty, with a serpent in its talons, and his broad wings opened to the rising sun.” This legend, it is almost superfluous to add, is still preserved on Mexican coins and the national flag.

Regarding this omen as the fulfillment of prophecy, the wandering Aztecs established a settlement in the swampy margins of the lake, sinking piles for the foundations of their reed or

tule houses, and naming their pueblo Tenochtitlán, or the Place of the Stone-Cactus. From this humble beginning dates the rise of the famous Aztec "Empire." In the course of some two hundred years, particularly through the political skill and military ability of the Montezuma dynasty—if such a term may be applied to the ruling family of a semi-civilized people—the crude collection of huts on the lake's margin grew into a populous, ordered city, and the tribe developed into an organized nation, holding sway, not only over the Valley of Mexico, but also over a vast territory beyond.

The Aztec kingdom, embracing about 16,000 square leagues, in reality consisted of a confederation of three separate tribes with their capitals respectively at Mexico, Tezcuco, and Tacubaya, but the Aztecs completely dominated the alliance and controlled both its policies and government. Beyond the actual limits of the alliance, scores of subjugated tribes, conquered from time to time in indescribably savage wars, paid various forms of tribute to the Aztec sovereign. Most oppressive and heartless of these exactions was the annual toll of victims required for the human sacrifices. In various forms this Aztec overlordship extended from one ocean to the other, and from the northern limits of the Valley of Mexico as far south as the Isthmus of Tehauntepec.

Civilization: The civilization of the Aztecs, whether borrowed from the Toltecs or Mayas, or of their origin, was remarkably well developed. Hospitals and public charities existed for the sick and the unfortunate. Trades and crafts, especially among the metal workers, lapidaries, and weavers, were organized under a system not unlike the guild system of mediaeval Europe, with well defined rules and an established order of apprenticeships. There were also regularly graduated social classes, a well organized system of local and national government, an elaborate judicial system, and a rudimentary postal service. There was also among the priests some skill in medicine, and a more correct knowledge of the solar system than that possessed by the Greeks or Romans.

On the other hand, there were certain serious deficiencies of the Aztec civilization almost as marked as were its attainments. Painting and music existed only in the crudest forms. There was no coinage system and no system of phonetic writing. Neither wax nor oil was employed for light. The only domestic animals were rabbits, turkeys and little dogs, all alike used for food.

Government: The Aztec government was theocratic and military. At its head stood an hereditary sovereign; next came the priests; then a very powerful nobility; and finally the army. Slavery and peonage were fundamental institutions. Much of the land was held by the king, the priests, the nobility and the

military chiefs. Village communal holdings, however, were an essential feature of the system of land tenure, and each villager cultivated his own part of the common lands.

The judicial system was organized in a manner partaking of a high degree of civilization. In all the principal cities there were inferior and superior courts, and a sort of police or justice court, corresponding in some degree to the ward magistrate of modern times. Above these stood a supreme court (to which appeals might be taken) consisting of the king and his highest councillors. Laws and court records were preserved by official "stenographers" who made use of an elaborate system of ideographic writing for the purpose.

In the punishment of criminal offenses, little leniency was shown. The theft of gold or silver was punished as an act of sacrilege as well as an offense against society. The culprit was first flayed alive and then sacrificed to the god of precious metals. Other crimes were punished by crushing the head of the prisoner between two stones, or by cutting his heart out as he lay bound alive upon the altar. A young man found drunk was beaten to death, and a young woman stoned. A slanderer was singed with pine torches until the scalp was laid bare.

Court: The court of the emperor, Montezuma, was organized after the style of an oriental monarch. Six hundred nobles and men of rank were his personal attendants; three hundred or more youths served daily at the royal table. The latter was furnished with every variety of fish, flesh, fowl, fruit, and vegetable known to the country. Little chafing dishes, heated with charcoal, stood at each plate to keep the viands warm. Napkins and bowls of water, precursors of the modern finger bowl, were furnished each guest both before and after eating. The table was adorned with ornaments and dishes of gold, silver, and semi-precious stones, curiously wrought to imitate a thousand objects, animate and inanimate, in which the land abounded.

For Montezuma's edification and amusement, there was an aviary containing every species of bird to be found in Mexico. Three hundred servants were assigned to the care of these birds. Besides this aviary, there was also a great zoological garden connected with the palace, and a choice collection of human freaks. Albinos, dwarfs, giants, and the like, were all a part of this royal museum, and each was provided with his separate apartment and his own keeper.

Calendar: One of the highest evidences of Aztec civilization, borrowed perhaps from their Maya or Toltec predecessors, was their accurate and detailed method of reckoning time. The year was divided into 18 months of 20 days each. Both months and days were named, the latter being called after familiar objects, such as Dawn, Wind, House, Lizard, Serpent, Death, and so on.

As there were 365 days in the Aztec year, it was so arranged that 5 intercalary days should come, according to the modern calendar, from February 24 to 28, inclusive. Every 104 years, 25 additional days were added to care for the annual six hour excess over the 365 days—this, of course, on the same principle that accounts for our own leap year. Instead of reckoning by centuries, as we do, the Aztecs dealt in cycles, each of which consisted of 52 years and was divided into quarters of 13 years. The beginning of each new cycle was the occasion of a great religious festival, culminating in the rite of kindling the sacred fire upon the bare breast of a human sacrifice.

The City of Mexico: The City of Mexico, or Mexico as it is more properly called, the old Tenochtitlán of early Aztec days, built as it was in the midst of a marshy lake, was connected with the mainland by four great causeways of stone. The chief of these, still used as a street in the modern city, was four or five miles long and wide enough for ten horsemen (had there been such a thing in pre-Spanish times) to ride abreast upon it. Many of the streets were "very wide and straight," while others were merely canals, built to furnish water to the city and outlying gardens, and to provide a passageway for canoes. The main thoroughfares were regularly lighted, cleaned, and patrolled; while in sanitary provisions the city, numbering between 60,000 and 100,000 inhabitants, was far ahead of its European contemporaries. It has been spoken of as "probably more spacious, cleaner, and healthier than any European town of that time."

Among the most characteristic features of the city, and of Aztec economic life as a whole, were the great market places where the business activities of the people centered. The largest of these was minutely described in the second letter of Cortés to his sovereign, Charles V. In this letter he says:

"There is one square twice as large as that of Salamanca, surrounded by porticoes, where are daily assembled more than 60,000 souls, engaged in buying and selling; and where are found all kinds of merchandise that the world affords—as for instance articles of food, as well as jewels of gold and silver, lead, brass, copper, tin, precious stones, bones, shells, snails, and feathers. There are also exposed for sale wrought and unwrought stone, bricks burnt and unburnt, timber hewn and unhewn, of different sorts. There is a street for game, where every variety of birds in the country are sold, as fowls, partridges, quails, wild ducks, fly-catchers, widgeons, turtle doves, pigeons, reed birds, parrots, sparrows, eagles, hawks, owls, and kestrels.... There are also sold rabbits, hares, deer, and little dogs, which are raised for eating. There is also an herb street, where may be obtained all sorts of roots and medicinal herbs that the country affords. There are apothecaries' shops where prepared medicines, liquids, ointments and plasters are sold; barber shops, where they wash and shave the head; (razors of obsidian were used) and restaurateurs, that furnish food and drink at a certain price.... There are all kinds of green vegetables, especially leeks, onions, garlic, watercresses, nasturtium, borage, sorrel, artichokes, and golden thistle; fruits also of numerous descriptions.... honey and wax from bees.... Different kinds of cotton

thread of all colors in skein are exposed for sale in one quarter of the market, which has the appearance of the silk market at Granada, although the former is more abundantly supplied. Painters' colors as numerous as can be found in Spain, and as fine shades; deerskins dressed and undressed, dyed different colors; earthenware of a large size and excellent quality; large and small jars, jugs, pots, bricks, and an endless variety of vessels, all made of fine clay, and all, or most of them, glazed and painted....

"Every kind of merchandise is sold in a particular street or quarter assigned to it exclusively, and thus the best order is preserved. They sell everything by number or measure; at least so far we have not observed them to sell anything by weight. There is a building in the great square that is used as an audience house, where ten or twelve persons, who are magistrates, sit and decide all controversies that arise in the market, and order delinquents to be punished. In the same square there are other persons who go constantly about among the people observing what is sold, and the measures used in selling; and they have been seen to break measures that were not true."

Religion: The Aztecs, like the Greeks, were pantheists. In addition to a supreme being, corresponding to the Olympian Jove, they worshipped thirteen major gods and over two hundred inferior divinities. Two of their gods deserve special mention. One of these, Quetzalcoatl, the God of the Air, or the Fair God, was the god of peace and of prosperity. It was he who had taught men to cultivate the earth, to work in metals, and to make laws. But Quetzalcoatl had been driven from the country by a stronger divinity, leaving among the Aztecs the tradition of his kindly rule and the promise of his beneficent return. The legends pictured him as a being of princely stature, with white instead of copper colored skin, a full beard and thick black hair. In the coming of Cortés, the Aztecs saw at first the fulfillment of this cherished prophecy.

In direct contrast to the character of the Fair God, was the Aztec conception of Huitzilopotchli, or Mexitli, their ferocious God of War. After making all due allowance for the prejudice and exaggeration of the Spanish conquerors in their descriptions of the worship of this inhuman deity, the fact still remains that the practices of the Aztec religion were as cruel and bloodthirsty as any the world has known.

The largest of the Aztec temples was built of stone, in the form of a truncated pyramid, and overlooked all other buildings of the city. "Three of its sides were smooth," according to the quaint old description of Don Antonio de Solis, "while the fourth had stairs wrought in the stone; a sumptuous building and extremely well proportioned. It was so high that the staircase contained a hundred and twenty steps, and of so large a compass that on the top it terminated in a flat, forty-foot square. The pavement was beautifully laid with jasper stones of all colors. The rails, which went around in the nature of a balustrade, were of a serpentine form, and both sides were covered with stones resembling jet, placed in good order, and joined with white and

red cement, which was a very great ornament to the building." A thick wall, eight feet high, surrounded the temple proper, making an enclosed area large enough to contain a village of 500 families. Gardens, sanctuaries, shrines, and apartments for the priests were contained within this enclosure. The encircling walls were cut by four huge gates, each of which faced one of the cardinal points of the compass.

The most characteristic feature of the Aztec religion was the human sacrifice in various forms. Sometimes the victims were drowned, sometimes burned, sometimes starved to death, sometimes compelled to take part in a sort of gladiatorial contest against overwhelming odds. The most common, as well as the most revolting form of sacrifice, however, was conducted by the priests on the great altar stone on top of the temple. The method of carrying out this rite was thus described by one of the early Spanish chroniclers:

"At the sound of musical instruments they brought forth an Indian from among the prisoners taken in war. He was accompanied and surrounded by illustrious noblemen. His limbs were painted red, with white stripes; one-half of his face was painted red; a white plume was glued into his hair; he carried in one hand a walking stick, very gay with knots and ties of leather, and some feathers inserted in it; in the other hand he bore a shield with five small bundles of cotton on it; on his back was a little bundle which held a few eagle feathers, lumps of ocre, pieces of gypsum, candlewood, and papers bound with rubber."

When the procession reached the top of the great temple, the victim was placed upon the sacrificial stone; and there, in the sight of all the city below, "four ministers of the sacrifice seized him by the hands and feet and held him fast, while the high priest ascended to the rock with his knife in his hand and cut the victim's throat....The blood drained into the bowl in the center of the rock, and poured through a canal, and ran down the side in front of the chamber of the sun; and the sun, sculptured on the face of the rock was drenched with blood."

The heart of the victim was afterwards cut out and presented to the sun, and the body, or certain parts of it, eaten by the worshippers.

In perhaps the most typical form of sacrifice, the heart was torn out while the sacrifice remained alive. The skulls of the victims were spitted and placed as a gruesome fringe around the temple. Statements, perhaps exaggerated, credit the Aztec priests with sacrificing 20,000 persons annually in this worship, and of putting to death 60,000 victims when the great temple was dedicated.

The significance of this debasing and dehumanizing religion in Aztec history ought not to be overlooked. Its chief influence was to render its followers callous to human suffering and indifferent to human life. It also furnished a plausible explanation for the harsh measures adopted by the Spanish conquerors to subdue the city. Finally, the demand for victims for the sacrifice did much to drive the tributary tribes into alliance with the Spaniards against the Aztecs when Cortés appeared.

II. THE SPANISH CONQUEST

Development of Spain: The Aztec "Empire" reached the height of its power under Montezuma II, who came into power in 1503. The reign of this sovereign, however, rested upon a very insecure and rapidly disintegrating foundation. The great mass of his own subjects were almost ready for revolt; the priesthood and nobility were discontented; and the tribes held in vassalage were only deterred by fear from throwing off the oppressive Aztec rule.

Meanwhile, across the Atlantic, Spain was rapidly developing into one of the marvelous nations of the age. Before the close of the fifteenth century, two sovereigns, Ferdinand and Isabella, had succeeded in uniting a group of jealous, independent, or semi-independent, kingdoms and provinces into a compact, unified nation. The turbulent and warlike nobles—source of so much of discord and weakness in all the nations of mediaeval Europe, and especially so in the provinces of Spain—were compelled to acknowledge actual as well as nominal allegiance to the crown. The three great military orders, so long independent of secular control, were taken over by the king, and the revenues from their huge estates turned into the royal treasury. National finance was reorganized and taxes so systematized that within thirty years the income of the crown had increased from less than a million reales to more than 26 million. Granada was captured from the Moors, and the Jews expelled from the kingdom, both for the sake of religious uniformity and of political unity as well.

Thus, when Charles V, greatest of Spanish sovereigns and of Holy Roman Emperors after Charlemagne, came to the throne of Ferdinand and Isabella in 1516, he found a country conscious of national unity, content with a government of royal absolutism, and possessed of a vigor and energy that demanded outlet beyond the narrow bounds of the Iberian peninsula. The exploration, conquest, and colonization of the new world of America was to furnish a proper field for the restless activity of his adventurous subjects.

Preparations for the Conquest: For many years after the first voyages of Columbus, the center of Spanish activities in the new world remained fixed in the West Indies. Cuba, Porto Rico and Jamaica had been erected into flourishing colonies before any very successful attempts were made to plant a Spanish settlement on the mainland. Most important of all, however, was Hispaniola or Santo Domingo, not inaptly called "the mother of the Spanish American Colonies." "Here," to quote a vivid description,

"Seaports had been built, towns and villages planted, and fortifications erected; gold mines had been opened, agriculture was in progress, stock was raised, farms were worked, and even certain crude industries had been

established. Nobles, soldiers, merchants, artisans, negroes, speculators, priests, friars, and slave traders jostled each other in the public square of the city of San Domingo; and in the harbor, caravel, galleon, and brigantine were loading up with Brazil and other native woods, cotton, sugar, and gold ingots, and complaining letters from those in power and those out of power, and were taking on board a motley homeward-bound company of suspended officials returning to Spain under a cloud, Jews and new converts expelled from the island, and Carib slaves."

Using the West Indies as a basis for colonizing efforts, various adventurous leaders had already sought to establish settlements on the mainland prior to the appearance of Cortés upon the scene. Castilla del Oro, with its center at Darién, was among the earliest of these. The moving spirit of the Darién settlement, Vasco Nuñez Balboa, in 1513 discovered the South Sea or the Pacific. Other expeditions to regions now included in Central America, brought back sufficient gold and vivid enough reports to fire the ambition and imagination of every eager spirit in the West Indies.

In 1517, Velásquez, the founder of Havana and Governor of Cuba, a "man covetous of glory and somewhat more so of money," sent one of his lieutenants, Hernández de Córdova, on an exploring and slaving expedition to the coast of Yucatán. Córdova, who was "very prudent and courageous and strongly disposed to kill and kidnap Indians," found evidences of an advanced civilization in Yucatán and brought back tales of the remarkable wealth of the inhabitants.

The next year Velásquez sent out a second expedition under Grijalva, who sailed as far north as the Pánuco River and secured some \$20,000 in gold from the coast natives. Incidentally, too, he heard vague reports of a great king in the interior, who lived in a marvelous palace, ruled over a vast empire, and possessed unlimited quantities of gold, silver and precious stones. Stirred by these reports, Velásquez once more outfitted an expedition for the mainland. The command of this venture was entrusted to a man of middle life, named Hernando Cortés, whose boldness in the face of opportunity, and remarkable skill as an organizer had only begun to appear in his character. The expedition over which Cortés was made commander consisted of a fleet of 11 vessels, carrying on board 600 men, 200 Indian slaves, 16 horses, 13 firelocks, 10 guns, and 4 falconets.

Before the expedition sailed, Velásquez repented of having appointed Cortés its leader and sought to recall him. But Cortés paid no regard to the governor's message, and sailed from Cuba on February 18, 1519. After touching on the shores of Yucatán and Tabasco, he continued northward and on April 21, 1519, founded a settlement on the Mexican coast to which he gave the name of the Villa Rica de la Vera Cruz. To the authorities of this municipal government, which he himself had established, Cortés then resigned his commission from Velásquez and

received from them, acting ostensibly for the Spanish crown, a new appointment to command the expedition. Then, at the head of a mere handful of men, Cortés set out for the interior, there to conquer a kingdom and lay the foundations for three hundred years of Spanish rule.

The Conquest: The march of Cortés from the coast to Mexico has aptly been called a "succession of audacious deeds." Sometimes playing upon the hostility of the conquered tribes against the Aztecs, he built up strong alliances with the native rulers that furnished material reinforcements for the meager force of Spaniards. Again, either suspecting treachery or wishing to teach a terrible lesson to any who might oppose his advance, he ordered his men to fall upon an Indian tribe—the Cholulans—and, unless the number has been greatly magnified, slew 6000 of them in two days of bloody fighting.

Meanwhile, in the palace of Montezuma there was fear and vacillation, born more of superstition than of physical cowardice. For Montezuma, a "superstitious fatalist," dared not oppose the coming of Cortés, in whom he saw the fulfillment of the old Aztec prophecy of the return of Quetzalcoatl. The white-sailed ships in which the Spaniards reached the coast; the horses upon which they rode—such animals as no Mexican had ever seen before; the noise and death that came from their firearms; the white skins, black hair, and beards of the strangers, all led the Aztec Emperor to believe the Fair God had once more returned to rule over his people.

Augmenting this conviction, according to the old Spanish accounts, were many "Presages, horrible, and wonderful Portents, which God either ordained, or permitted to depress the Spirits of those fierce people and render less impossible to the Spaniards that great work which his Providence was about to accomplish, by means so disproportioned to it."

Due chiefly to Montezuma's superstitious fears, Cortés and his command were given a friendly welcome to the city of Mexico by the Aztec sovereign. With equal wonder, the short, bronze Indians saw the tall, armed Spaniards, some of them mounted on strange, four-legged beasts, pass through the streets of the city to Montezuma's palace, and the Spaniards noted the evidences of civilization, the buildings, the shops in the market places, the strange fruits and birds, the abundant supplies of precious metals, and the oriental splendor of the royal court. It was natural, too, that what they saw should be magnified and made more magnificent than in reality it was.

Relations between the invaders and the Aztecs did not continue long on a friendly basis. Cortés, realizing the hopelessness of his position in the face of a concerted uprising, compelled Montezuma to live as a hostage with the Spaniards. But long

before his control of the city was assured, even by this ruse, the audacious commander was forced to meet grave danger from an unexpected quarter. This was the arrival of a thousand men sent by the disgruntled Velásquez to arrest his former lieutenant and to take possession of any conquests he might have made. The expedition, under Pánfilo de Narváez, landed at Vera Cruz; and thither Cortés hastened in person to meet it, leaving what force he could spare in Mexico under command of Pedro de Alvarado. After a successful engagement against Narváez, Cortés succeeded in winning over most of his rival's troops to his own cause and then hastened back to Mexico. Here he found conditions come to a serious pass. Alvarado, freed from the wiser councils of Cortés, through rashness and cruelty had brought about a native uprising that threatened the Spaniards with extermination.

Though Cortés succeeded in temporarily checking this first outbreak, a second and more formidable rebellion flared up within a few days. In the ensuing fighting, Montezuma was either killed by his own people or done to death by the Spaniards. In his place the Aztecs chose for their sovereign Montezuma's brother, a man of great personal bravery, who continued to besiege the Spaniards with the utmost vigor.

On the night of July 1, 1520, Cortés attempted to escape from the city with his Spanish soldiers and Indian allies. One of the great causeways, since known as the Puente de Alvarado, was chosen for the avenue of retreat; but before the escape was completed, the Aztecs discovered the maneuver and fell upon the Spaniards in overwhelming numbers. The latter, though desperately hard pressed, forced their way beyond the city; but the battle cost the lives of more than 400 Spanish and almost ten times as many of their allies. The night has ever since been known as the "Noche Triste" (Night of Misfortune) in Mexican annals.

The triumph of the Aztecs in driving the Spaniards out of the city was short-lived. With the aid of additional Indian allies, Cortés invested Mexico on all sides and for three months maintained an effective siege. Then, on August 13, 1521, by a combined attack on land and water, he once more entered the Aztec capital and forced its surrender.

The land thus conquered, the Spaniards, like the English colonists of the next century, named after the mother country. "From what I have seen and heard concerning the similarity between this country and Spain," wrote Cortés to his sovereign, "its fertility, its extent, its climate, and in many other features of it, it seems to me that the most suitable name for this country would be New Spain, and thus in the name of your Majesty, I have christened it."

Spread of Spanish Rule: The boundaries of the land, to which Cortés so fittingly gave the name of New Spain, were far wider than those of the Aztec "empire," even in its most glorious day. Indeed, the capture of Mexico and the overthrow of the Aztecs was but the beginning of Spanish conquest. Cortés, in the face of bitter rivalry at court, having sought and obtained the appointment of governor and captain-general of New Spain, at once pushed forward the frontiers of Spanish rule, using always the aid of Indian allies as one of the chief means of accomplishing this purpose.

Either through treaties or by conquest, Spanish settlements were thus established in Vera Cruz, Oaxaca and Tehuantepec. Olid, one of the chief lieutenants of Cortés, extended the royal power over Michoacán. A shipyard was set up at Zacatula, a seaport on the Pacific, in what is now the state of Guerrero. Colima and Jalisco were also brought under Spanish sovereignty about the same time. On the Gulf Coast, the Huasteca region, now so famous for its oil deposits, lying along the Pánuco River, was also subdued and partially colonized.

While these conquests were taking place in various parts of what we now know as Mexico, other expeditions were reducing the Central American countries of Guatemala and Honduras. On the march thither, the modern states of Chiapas and Tabasco were partially explored; and a few years later a beginning was made of the conquest of the Maya territory of Yucatán.

To the northwest of Mexico City, Nuño de Guzmán, one of the cruelest of the Spanish Conquistadores, and a deadly enemy of Cortés, established the Spanish rule in Sinaloa, and founded the important town of Culiacán. Later, Sinaloa and parts of Michoacán and Jalisco were erected into a province, known as Nueva Galicia, over which Guzmán, the ruthless, was appointed governor.

About the time Guzmán began his career in Sinaloa, Querétaro was conquered by Indian allies of the Spaniards and the way laid open for a new advance to the north. This was in 1531. A few years later, a remarkable series of explorations served to extend the geographic knowledge of the Spaniards and the bounds of New Spain over an area many times larger than that first conquered by Cortés.

Of these explorations the most important were carried out by three adventurous leaders. The first of these was a shipwrecked Spaniard named Alvaro Nuñez Cabeza de Vaca, who bore the proud title of the Treasurer of the Colony of Florida. The next was Hernando de Soto, one of the conquerors of Peru; the last was Francisco Vázquez Coronado, governor of Nueva Galicia. Vaca, for six years a captive among the Indians, crossed from a point on the Gulf of Mexico where his vessel was wrecked, through Texas, northern Coahuila, Chihuahua, and Sonora, to

the Spanish settlement of Culiacán. His reports, and those of the three men who were with him, did much to stimulate further exploration and conquest in the regions over which his wanderings carried him.

De Soto's expedition gave to the Spaniards a knowledge of the Mississippi River and of the area lying between it and Florida. Coronado, and the expeditions subsidiary to his main undertaking, explored the vast southwest, from the Gulf of Lower California and the Colorado River, through Arizona, New Mexico, western Texas, and Oklahoma to the "Kingdom of the Gran Quivira" in eastern Kansas.

While these expeditions were making their remarkable discoveries by land and extending the far flung boundaries of the Spanish empire over what is now the southern and southwestern part of the United States, other expeditions, going by sea, were crossing the Gulf of Lower California to the Peninsula, and even rounding this to sail up the mainland as far as Oregon. Cabrillo and Ferrelo planted the Spanish flag in California. Villalobos, in command of another expedition, crossed the Pacific to the Philippines, as Magellan had done two decades before.

These, and other explorations of the Spaniards, whether by land or sea, were not haphazard affairs, but were all inspired by clearly defined motives. The crown encouraged exploration so that colonies might be set up to serve as "feeders" for the mother country and check the advance of other nations in the new world. The discovery of precious metals was also of primary interest to the king, since this redounded greatly to the profit of the royal treasury. Individuals were eager to engage in expeditions of exploration and conquest because of the promise such ventures held of wealth and power. The success and fame achieved by Cortés and Pizarro were not the only illustrations of the fulfillment of these ambitions, for in scores of other cases successful conquistadores received from the crown large rewards in the form of land grants, slaves, mining claims, and high political favor.

Another unusually strong motive, especially in the early years, was the lure of romance and of the fabulous. A few years ago, men were seeking to invent flying machines and wireless telephones. Three hundred years ago, the Spanish conquistadores went out in search of El Dorado, of the Seven Cities of Cíbola, of the Gran Quivira, of the Fountain of Youth, of the Island of the Amazons, and of other strange places, where amazing wealth was said to exist, and where all sorts of novel adventures and new experiences waited the discoverer. After the wireless telegraph we did not ridicule those who sought to apply the same principle to the telephone. After the first Langley machine, we did not ridicule those who sought to build a more perfect airplane. Why, then, was it so ridiculous for the Span-

iards of the early sixteenth century to go into the wilderness of New Mexico or of Kansas, seeking marvelous cities and wealthy kingdoms, where every vessel was made of gold, and jewels were more plentiful than stones? Had not Columbus just discovered a Continent, and Cortés conquered an Empire but little inferior to those of fable and romance?

Another motive, again, for many explorations, was the desire to obtain accurate information regarding certain geographic speculations. One of the most persistent of these early problems was the reputed existence of the so-called Strait of Anian, supposed by Spanish geographers and philosophers to connect the Atlantic Ocean with the South Sea, and thus to furnish a direct route to the rich markets of the Orient. For centuries Spanish navigators and even overland explorers sought this strait, whose counterpart, known as the Northwest Passage, was the objective of so much of British and French exploration in later years.

A final motive, not without influence even upon the crown and laymen, but especially strong with the church's representatives, many of whom deserve to rank among the greatest of the builders of Spanish empire, was the zeal of converting heathen peoples and the desire to establish Christianity in the most remote corners of the continent.

Settlement: The influence of these various motives, as shown on a previous page, had carried the Spaniards far from the scene of the triumphs of Cortés before two decades of Spanish rule in Mexico were past. But these explorations were merely the beginning of the founding of New Spain. Before Spanish rule and civilization could be effectively established, the regions opened up by the discoverers had to be occupied with permanent settlements.

In effecting these settlements, various motives and agencies came into play. The discovery of precious metals and the building up of great mining centers was one of the most effective causes of actual Spanish expansion. In the wake of the miner came the stock-raiser, with his princely ranges and his unnumbered thousands of long-horned, free-running cattle.

Farthest out on the frontier, often beyond the prospecting holes of the most venturesome miner, stood the mission, serving both church and state in its influence upon the uncivilized Indian tribes. Companion institutions of the mission, but wholly under secular control, were the other distinctive frontier institutions of the Spanish crown—the presidio, a military settlement; and the pueblo, or incorporated town.

After the first wave of exploration and conquest spent itself in Mexico, about the middle of the sixteenth century, the expansion of Spanish settlement and rule went on under the influence of the church, mining booms, government initiative, or the rest-

less ambition of some individual empire builder, in a more ordered, but scarcely less rapid way. This progress, of course, was not accomplished without overcoming innumerable obstacles and constant difficulties. Jealousy and intrigue ceaselessly undermined the work of constructive leaders and, frequently, as in the case of Cortés, forced the men of greatest energy and genius into retirement or disgrace. Native hostility was always present; and in 1542, the great Mixton War in Nueva Galicia threatened the utter extinction of Spanish rule along the western coast. The crown, also, was frequently disastrously short-sighted in his colonial policy, or too hard pressed by European complications to provide properly for his overseas domain.

Yet in the face of these, and a score of other difficulties, the Spanish occupation of Mexico continued with almost unbroken regularity from one generation to the next. "Between the return of Coronado and the end of the century," writes Dr. Herbert E. Bolton, in the *Colonization of North America*, "the frontiers of actual occupation moved forward, roughly speaking, from Guadalajara, Querétaro, and Pánuco, to a line drawn irregularly through the mouth of the Rio Grande westward to the Pacific, with many large spaces, of course, left vacant to be filled in by subsequent advances. The Spanish pioneers, like those of England and France, recorded their home attachments by the place names given their new abodes, and thus the whole northern district of Mexico was comprised within the three provinces of New Galicia, New Vizcaya, and New Leon. During the same period the Philippine Islands had been occupied as an outpost of Mexico."

III. SPANISH COLONIAL GOVERNMENT AND INSTITUTIONS

Political Divisions: Long before the explorations and settlements spoken of in the preceding paragraphs were completed, the Spanish crown had put into effect a highly organized system of government, which applied not only to New Spain, but to all other Spanish possessions in the new world, as well. Since Mexico for 300 years lived under this government and still finds its influence dominant in many branches of national life, a survey of its main features will not be out of place.

To begin with, the whole of the Spanish colonies, whether in North or South America, or wherever they might be, were regarded, not as the territory of the nation, but as the personal possession of the sovereigns of Castile. Consequently, the government of Mexico, as of all the rest of Spanish America, rested wholly in the hands of the crown and was carried on entirely apart from the national government of Spain by a distinctly separate and independent body of officials.

For purposes of administration, these royal possessions were divided, from very early days, into two great kingdoms or viceroyalties, known respectively as New Spain and Peru. The viceroyalty of New Spain included not only Mexico, but also the rest of the mainland north of the Isthmus of Panamá, part of the South American coast, the West Indies, and even the far-off Philippines.

The viceroyalties in turn were subdivided into districts, known as audiencias, and these for their part into lesser districts, called gobiernos or provinces. Mexico proper comprised two of the four audiencias into which New Spain was divided. These were known to the Spaniards as Mexico and Nueva Galicia.

Council of the Indies: At the head of the whole colonial system, next of course to the sovereign, and acting as his direct agent, stood a body called the Council of the Indies. This at first consisted of eight members, but the number was afterwards increased. Appointment to the Council carried with it a large salary, high honor, great responsibility, and permanent residence at the royal court. Generally speaking, only those who had seen actual service in the Americas or in the Philippines were appointed to this body.

The functions of the Council were of a threefold character—to enact all laws for the government of the colonies; to serve as a final court of appeal for grave judicial cases; and to advise the king on all important colonial questions. In this last capacity, the body also exercised the highly important function of nominating all civil and ecclesiastical officials for the colonies.

Casa de Contratación: Only secondary in position and authority to the Council of the Indies, was the Casa de Contratación, or House of Trade. This body, which sat at Seville until 1717, and after that at Cadíz, has been described as a “board of trade, a commercial court, and a clearing house for the American traffic.” Its functions were both administrative and judicial. Acting in the former capacity it granted licenses, equipped and inspected vessels, instructed captains as to loading and sailing, kept close watch over persons going to or coming from the colonies, accounted for all goods, revenues and precious metals connected with colonial trade, and enforced all the stringent and detailed provisions of the crown’s commercial regulations.

In its judicial capacity, the Casa had oversight of all cases arising from theft or other crimes committed on the voyage to or from the Indies; of issues involving the royal revenue; of evasions of emigration laws or trade regulations. In brief, a violation of any of the commercial laws of the colonies might be heard before the Casa. With its findings and decisions, the ordinary courts of Spain were forbidden to interfere.

Institutions in the Colonies: At the head of the royal officials resident in Mexico stood the Viceroy. In authority and rank, he was literally what his title signified—the King's substitute. His functions were of the greatest variety and importance and included such vital issues as the defense of the kingdom and the oversight of the royal revenues. His court "was formed upon the model of that of Madrid, with horse and foot guards, a household regularly established, numerous attendants, and ensigns of command, displaying such magnificence as hardly retained the appearance of delegated authority." The viceroy's term, nominally for three years, was frequently lengthened by the King so that during the 300 years of Spanish supremacy 62 viceroys ruled over Mexico.

The Audiencia: Only slightly lower than the viceroy, and in some functions even his superior, stood the Audiencia. This body acted both as a council of state and as the supreme court within the colonies. To it appeals might be made, even over the viceroy's head. One of its most important functions was the administration of government in the interval between the death or departure of one viceroy and the coming of his successor. The first audiencia was established at Mexico City in 1528. Twenty years later, a second audiencia was set up in Nueva Galicia, with its seat, after 1550, at Guadalajara.

The Residencia: In order to place a check upon the rule of colonial officials and to hold them responsible for any abuse of power, an inquest was held at the end of their term of office by special commissioners appointed by the crown. Such an investigation was called a Residencia. Information touching the official's misconduct was invited from every quarter, and the reports and evidence thus received were forwarded to the Council of the Indies. Theoretically, such an arrangement should have kept the colonial government free from corruption and abuse, but the effectiveness of the residencia was too often destroyed by the use of bribes or the influence of the guilty officials at the royal court.

Provincial and Local Government: While the viceroy and audiencia represented the supreme political power in Mexico, there were many subordinate branches of government, some of which, in certain particulars, might even claim direct responsibility only to the crown. The country, as already indicated, was divided into two audiencia districts. These, in turn, were made up of numerous gobiernos or provinces, very similar in boundaries to the modern Mexican states. Each province was under control of a governor and captain general. To meet a special need, for something like the first hundred years of Spanish rule, both the conquest and government of the frontier provinces,

however, were entrusted to outstanding leaders known as *Adelantados*. These "proprietary conquerors," as they have been called, were "men of means, obligated to bear most of the expense of conquering and peopling the wilderness, in return for wide powers, extravagant titles, and extensive economic privileges."

Within the provinces were smaller political units known as *corregimientos*, each under the jurisdiction of an *alcalde*, appointed by the *audiencia*. There were also organized Indian communities, known as *partidos*, and incorporated towns. Each of the latter had its coat-of-arms from the king and conducted its government by means of a *cabildo*, or municipal council, whose members, the *regidores*, were almost the only elective officials in New Spain. Indeed, the only approach to popular sovereignty in Mexico during the Spanish régime, was this faint measure of local administration possessed by the towns. Elsewhere, there was not the slightest opportunity for the people to learn or practice the extremely difficult art of self-government. Everywhere the offices were bought and sold in keeping with the custom common in Spain.

Spain's Economic Policy: The Spanish policy of absolutism in government likewise found its counterpart in complete control of the economic life of the colonies by the crown. The Mercantile System, from which this practice sprang, was then in universal favor with European statesmen; but in the case of the Spanish colonies, the Mercantile idea was given a practical effectiveness seldom witnessed in the colonies of other nations. As its primary object was to enrich and strengthen the mother country, the welfare of the colonies was purely a secondary consideration.

One essential of Spanish success in enforcing this system was a rigid monopoly of colonial trade and strict exclusion of foreigners from the American provinces. In this, the aim was not merely to exercise an absolute control over colonial commerce, but also to keep a knowledge of the mineral wealth and military weakness of the Spanish possessions from dangerous European rivals. Severe penalties were consequently provided for violations of the laws against intercourse with foreigners. And if the latter, either through accident or design, entered Mexican waters they were liable to suffer execution or a living death at enforced labor in the mines.

In order to render the royal control of commerce more effective, and to protect trade so far as possible from the disastrous raids of English, French and Dutch privateers, vessels bound to or from the colonies were required to sail under convoy in annual or semi-annual fleets. Until 1720, Seville was the only city in Spain from which this commerce might be carried on; while Vera

Cruz was the only port north of Panamá at which the fleets were authorized to touch. On the Pacific, the harbor of Acapulco witnessed the yearly arrival (when the vessel was not wrecked or captured by roving freebooters) of a richly laden galleon from Manila, carrying the stuffs of China and the East, and normally manned by a half dead, scurvy stricken crew. The goods that reached Mexico in this "Manila galleon" were mostly transported overland to Vera Cruz for re-shipment to Spain.

The effect of Spain's economic policy upon Mexican development was most unfortunate. Her commercial restrictions made it possible for a few well entrenched houses to monopolize almost all the foreign trade of Mexico and to realize a normal profit of two or three hundred per cent. The common people, naturally enough under such conditions, could not enjoy the use of imported goods, but were restricted to the primitive articles of their own making. The market that Spain furnished for Mexican products, aside from gold and silver, was likewise so inadequate as to discourage any real development of agriculture or industry. As a by-product, the policy also encouraged smuggling and evasion of customs regulations on an enormous scale, and incidentally laid the foundation for much of the discontent that afterwards flared out in revolution. The short-sightedness of the whole policy was well summed up by Humboldt, eminent geographer and statesman, when he said, "The supplying of a great kingdom was carried on like the provisioning of a blockaded fortress."

The Indian Policy of Spain: One of the most complex problems faced by Spain in Mexico after the conquest was that presented by the native inhabitants. In theory the Indians were regarded, not as foreigners, but as subjects of the crown, with many of the limitations and privileges of minors. But while one Spanish king after another tried to throw around his distant wards the protection of royal favor, until the crown's Indian legislation has been styled "an impressive monument of benevolent intentions," the harsh oppression of Spanish conquerors and colonists, actually on the ground, woefully defeated the humane measures of the sovereign at Madrid.

Indians taken in war or surrendered in lieu of tribute were first treated as slaves; but about 1530 this practice was forbidden by royal command. The common method of dealing with the natives was then through the *encomiende* system. This system, brought over from the West Indies where the Spaniards began it in 1497, was based on the practice of partitioning out large areas of land to individual Spaniards and of allotting with the land the forced labor of such Indians as lived upon it. Theoretically, the *encomenderos*, or holders of such grants, were supposed to protect, civilize, and convert the Indians entrusted to

them. Actually, they so abused and exploited their charges that the system became one of the worst scandals of Spanish rule.

The need for labor on the haciendas, in sugar mills, in the construction of irrigation and drainage canals, in household service, for the erection of churches, dwellings, and public buildings, and especially in the mines, was very pressing. Lack of machinery and proper transportation facilities compelled the use of man power for almost every conceivable form of labor.

Nowhere was the demand for every kind of labor greater than in the mines. To supply this particular industry, the mita system developed along with the encomiendas. Under this system, whole Indian communities were transported from their established homes to distant mining centers and compelled to work in the mines themselves or in the reduction works. The labor was so extremely exhausting and dangerous that a current proverb ranked it as another form of hell.

Between the cruelty of the encomenderos and the appalling sacrifice of life in the mines, the native inhabitants of Mexico were almost exterminated in certain sections. In 1552, for instance, this letter was sent by one of the Spanish bishops to the Emperor: "I am in the country about Vera Cruz. In most of the towns nothing is remaining but the sites; where there were two thousand Indians, there have not remained more than forty inhabitants; and sometimes only four, six, seven, or eight. The town that has most, numbers only two hundred inhabitants."

In spite of the extreme cruelty and oppression of the average Spanish mine proprietor and encomendero, however, there were many, especially among the ecclesiastics and higher officials, who sought to alleviate the sufferings of the Indians and to improve their condition. The most conspicuous of these was Bartolomé Las Casas, a one-time encomendero himself who, having turned priest, devoted the rest of his life to the cause of the oppressed natives. The two chief results of the reform movements instituted by Las Casas were the introduction of negro slaves to serve as a substitute for Indian labor, and the promulgation by the crown of the so-called New Laws. Under this royal code, issued in 1542, provision was made for the extinction of all encomiendas within a single generation. But vigorous opposition on the part of the holders of such grants prevented the enforcement of this feature of the law, and the system remained in effect until the close of the century. Even when it eventually died out, various forms of peonage sprang up to take its place.

While the encomienda system had in it little of good and an abundance of evil, the other features of the crown's Indian policy were more commendable. The objects of this policy were threefold—to reduce the nomadic Indians to village life; to suppress vice and heathen practices among them; and to give them training and discipline that should make them self-supporting.

The chief agency in carrying out this royal program was the church. This, like everything else in Mexico, was under strict control of the king. Actually, as well as in name, the sovereign was the *real patronato* of the church in the colonies. The whole of the ecclesiastical patronage and the nominations for ecclesiastical office were in his hands. No papal bull could be published in Mexico without his consent, and even the funds derived from the annates and the sale of indulgences flowed into the royal treasury. In return, the crown supported the church financially, and otherwise conducted its affairs as an integral part of the colonial system.

Mexico itself was an archbishopric, divided into four bishoprics. In the smaller towns, the cura, or priest, carried on the work of the parish. In addition to the secular clergy, there were also many orders of the regulars. Most important of these were the Franciscans, the Dominicans, and the Jesuits. Their work was of particular significance in extending and holding the frontiers for the crown, and in bringing some measure of civilization to the outlying native tribes. The contribution of these missionary friars, both to the expansion of New Spain and to the advancement of the Indians, has thus been strikingly described by the historian of Spanish rule in America, Dr. Herbert E. Bolton:

"As their first and primary task the missionaries spread the Faith. But in addition, designedly or incidentally, they explored the frontiers, promoted their occupation, defended them and the interior settlements, taught the Indians the Spanish language, and disciplined them in good manners, in the rudiments of European craft, of agriculture, and even of self-government. Moreover, the missions were a force which made for the preservation of the Indians, as opposed to their destruction, so characteristic of the Anglo-American frontier. In the English colonies the only good Indians were dead Indians. In Spanish colonies it was thought well worth while to improve the natives for this life as well as for the next....For these reasons, as well as for unfeigned religious motives, the missions received the royal support. They were a conspicuous feature of Spain's frontiering genius."

IV. MEXICO FROM 1600 TO 1810

Summary: By the close of the sixteenth century, the foundations of Mexico, as we know that land today, had already been laid. The native inhabitants had been conquered and brought under Spanish rule. A wide-spread fusion of Indian and Spanish blood was fast giving rise to a new element in the population, known as the Mestizo. The importation of negro slaves was soon to add another strain to this racial intermixture. Political and economic institutions had assumed, for the most part, definite and permanent forms.

Mining, farming, stock-raising, and sugar-making were the chief industries of the country. All civil and military authority, except where the towns possessed some slight measure of inde-

pendence, was lodged in the hands of royal officials at whose head stood the viceroy and the audiencias. The church, both in its regular and secular branches, was firmly entrenched throughout the occupied areas and had established cathedrals, schools and monasteries in many of the larger towns; while on the frontiers the missions were doing valuable service in Christianizing and subduing the wild tribes.

Through various agencies and under the direction of numerous leaders, the boundaries of Spanish rule had been pushed many leagues beyond the limits of the old Aztec empire. Settlements, largely the result of mining booms, were to be found in what is now the states of Zacatecas, Nuevo León, San Luis Potosí, Durango, Chihuahua, Sonora and Sinaloa. Exploring expeditions had gone much beyond even these outlying regions into Texas, Arizona and New Mexico. Indeed, a very considerable colony had already been established in the latter province by Juan de Oñate, son of one of the founders of Zacatecas. It was not until 1609, however, that Santa Fé was founded as the northern limit of Spanish occupation.

Numerous cities or fair sized towns, most of which still rank as important centers of population, were also established before the close of the sixteenth century. The Aztec capital, almost destroyed at the time of the conquest, had been rebuilt on a larger and more pretentious scale by Cortés. Serving as gateway to the interior, Vera Cruz had become an important commercial center on the Gulf; while Acapulco, in a smaller way, filled the same position on the Pacific. There were also lesser ports, like Tampico and Zacatula, on either coast. In the interior, Guanajuato, Guadalajara, Zacatecas, Fresnillo, Aguas Calientes, Sombrerete, Durango, Mazapil, Saltillo, Monterrey, Parras, Santa Bárbara, Culiacán, Compostela, and a score of other towns were well beyond the experimental stage.

The Seventeenth Century: During the seventeenth century the colonizing activities of Spain were chiefly expressed in efforts to prevent the encroachment of European rivals, notably the French and English, in the exploitation of mineral deposits, and in the establishment of Franciscan, Dominican and Jesuit missions along a far stretching frontier from Louisiana to Lower California. This period saw the permanent occupation of Coahuila, northern Chihuahua, and Sonora. It also witnessed the temporary colonization of Lower California and eastern Texas; the exploration of southern Arizona and the California coast; and the enforced withdrawal of the Spanish colonists from New Mexico as a result of a great Indian outbreak.

Politically, the century witnessed no very important institutional changes in the government of New Spain, nor was there much of significance to record in the internal developments of

the kingdom, except a series of unfortunate disasters. These included a number of widely scattered Indian outbreaks, a negro uprising in Vera Cruz, bread riots and mobs in Mexico City, several severe floods that all but destroyed the capital and cost many thousands of lives, the sacking of port towns by pirates and buccaneers, including the capture of Acapulco by the Dutch, a successful raid upon Campeche by the English, and the looting of Vera Cruz by the notorious pirates, Van Horn and Lorencillo.

As the century closed, conditions both in Mexico and Spain were in a precarious situation. In Mexico, there was discontent among the Spanish and Mestizo population, and successful Indian revolts along much of the frontier. In 1692, a half starved mob, believing the viceroy had conspired to raise the price of food, burned the palace and other public buildings in the capital, looted many of the shops, and almost destroyed the city. Various recurrences of such outbreaks took place for a decade after the great mob of 1692. The government, in turn, was too often lax or corrupt, and the administration of public affairs lamentably inefficient.

Spain, on her part, in 1700 was a decadent nation, with an imbecile, childless king, a bankrupt treasury, and a backward, poverty-stricken people. She has been described at this period by Dr. H. I. Priestley, one of the special contributors to this volume, as "a country without roads, without commerce, without agriculture, and without industries." In 1713, however, at the close of the War of the Spanish Succession, the Treaty of Utrecht, while it took from Spain certain of her colonial territory and opened a breach in her wall of commercial exclusion, recognized the right of the Bourbon family to occupy the Spanish throne and thus infused a new vigor and strength into the decayed government at Madrid.

Revival Under Charles III: The culmination of Spain's rejuvenation under the Bourbons came in the reign of Charles the Third, from 1759 to 1788. Though unfortunately a participant in the Seven Years' War on the side of France, to which he was bound by the Family Compact, Charles gave to Spain and Mexico alike the best and most successful government either had known for nearly two hundred years. In Mexico, his reign was characterized by a reorganization of government, reforms in administration, liberalization of commerce, an astonishing revival of colonial industry, simplification of taxes, and a vigorous expansion of the frontier.

The chief agent by which Charles carried out this remarkable program was José Gálvez, a special commissioner or *visitador general*, who sometimes acted with, and sometimes independently of, the viceroy. Among the most important contributions made by Gálvez were the reorganization of the public revenues, includ-

ing the introduction of the system of intendancies, and the establishment of a new form of government for northern Mexico. The Provincias Internas, or Interior Provinces (i. e., Nueva Vizcaya, Sinaloa, Sonora, Coahuila, Texas, New Mexico, Baja and Alta California), were taken out from under the jurisdiction of the viceroy and erected into a separate political unit. Teodoro de Croix was appointed commandante general of the new government, whose capital was fixed at Chihuahua. Two new dioceses were also created to cover the territory in question.

Under the system of intendancies, established in 1786, Mexico was divided into twelve fiscal districts and three provinces, for the purpose of simplifying and making more efficient the collection of royal revenue. Three years later, by royal decree, colonial commerce was freed from most of the restrictions so long imposed upon it. The mining industry, most important of all the economic activities of New Spain, was also given fresh impetus by the promulgation of a more liberal code of mining laws and the establishment of a badly needed mining bank. Indeed, all branches of trade and industry felt the quickening influences of Charles III and his great minister.

Expansion: While radical changes were thus being made in the internal affairs of New Spain, equally significant developments were taking place along the frontier. Even before Charles III came to the throne, the early and middle eighteenth century had witnessed important activities all along the northern border. A strong line of presidios and missions had been established in Texas before the first quarter of the century as a check against French encroachment from Louisiana. Chihuahua had become one of the richest of Spanish provinces through the discovery of vast silver deposits near Santa Eulalia and the present city of Chihuahua. New Mexico had been reoccupied and the towns of Albuquerque and El Paso founded. On the east, the new colony of Nuevo Santander, extending from Tampico northward to the San Antonio River, was erected before 1750. While in the west, Jesuit missionaries, such as Kino and Salvatierra, had established numerous missions in northern Sonora, southern Arizona (or Pimería Alta, as the region was then called), and along the sterile gulf shore of Lower California.

The reign of Charles III was to witness a material advance of this frontier. In 1763 the Treaty of Paris took Florida from Spain, but in return gave her the French claims to Louisiana. This necessitated an extension and strengthening of the eastern border, since Spanish territory was now definitely exposed to the English overland advance. The long line of presidios along the northern frontier, following an inspection by the Marqués de Rubí in 1766, was also readjusted and strengthened to protect the interior settlements against Indian attack and foreign menace.

The most important advance of all, however, was made on the extreme west. Here, the long coast, unoccupied as yet from Lower California northward, though claimed long since by Spanish explorers, offered a tempting field for Russian colonization from the north or English settlement by way of Canada. The Manila galleon, with its precious cargo, also demanded a port of refuge and supply on the California coast. Coupled with these material motives, which largely actuated the crown and his advisers to establish Spanish settlements in California, was the unfeigned zeal of the missionary friars to Christianize the Indians of the distant territory. The Jesuits having been driven out of Mexico and Spain alike by Charles III in 1767, the work of establishing the church in California fell into the hands of the Franciscans; and in the first years, especially, into the hands of one of their most zealous adherents, Father Junípero Serra.

Backed by the crown, and under the leadership of Governor Portolá and Serra, the foundations of Spanish rule were laid at San Diego in 1769. During the next two decades, a score of missions, presidios, and pueblos were erected as a defense of the long California coast line; attempts were made to open direct communication between the northern outposts of Spanish rule in New Mexico and the newly established colony at Monterey; short-lived missions were established along the Gila and the Colorado rivers to insure protection for the overland trails from Sonora; a naval base was established at San Blas to supply the California settlements with food; and various exploring expeditions were sent northward to discover and destroy any attempts at English or Russian colonization on Spanish ground.

Thus, Mexico under Charles III, judged by the extent of her frontier, the condition of her industries, the efficiency of her government, and the freedom of her trade, was enjoying a greatness she had never known before. But beneath this outward prosperity and the apparent success of Spanish rule, forces were rapidly working to bring about a complete revolution, not only in government, but in many another feature of Mexican life. The three centuries of tutelage were almost over. It remained to be seen what Mexico would do when she attempted to walk the difficult path of self-government alone.

V. THE ATTAINMENT OF INDEPENDENCE

Decay of Spanish Power: At the opening of the nineteenth century, Mexico was still enjoying the material prosperity that the reign of Charles III had brought about. Her population numbered approximately 6,000,000, divided chiefly between Europeans, Creoles, Indians and Mestizoes. Her mineral production amounted to nearly \$23,000,000 annually. Imports totaled

about \$13,000,000, and exports \$22,000,000. Agriculture yielded approximately \$15,000,000. Various forms of taxes brought into the royal treasury some \$20,000,000 yearly.

Yet despite these evidences of prosperity, signs were not lacking of a serious weakening of Spanish control. The government at Madrid had already lost most of the prestige it had gained during the reign of Charles III. In 1790 the Nootka Sound controversy, in which the French alliance—so long the cardinal element of Spain's foreign policy—proved but a broken reed, forced a definite relinquishment of Spain's claims to the northwest coast. A few years later with the rise of Napoleon to power, Spain sank into a mere appanage of France, and the welfare of Mexico, as of other Spanish colonies, became entirely submerged in the turbid stream of European politics. In Mexico, this French entanglement resulted in multiplied taxes and other exactions and in the diversion of funds from colonial objects to supply the ever-increasing demands of the home government. The cession of Louisiana to Napoleon and its subsequent sale to the United States was but another indication of the evil consequences, from the colonial standpoint, of Spain's subservient French policy.

Abuses in government, some of which Charles III had sought to correct, became even more pronounced. Indian forays on the frontier went on unchecked. Along the California coast, in Florida, and especially across the Mississippi, American adventurers began to threaten the continuance of Spanish rule. In short, whatever advantage and protection Mexico had enjoyed under Spain's sovereignty since the time of Cortés, was fast disappearing as the first decade of the nineteenth century neared its close.

Racial Intermixtures and Rivalry: As Spain's control over Mexico grew weaker, numerous factors within the colony began the work of revolution with unexpected and startling success. One of the chief sources of discontent was the bitter rivalry that obtained between the various classes of the population. The intermarriage of Spaniards and Indians, owing to the dearth of white women, was an essential element of Spain's colonial policy. This, and the introduction of negroes, had given rise to some six or seven racial intermixtures. These, to use the classification of Humboldt, included the following groups:

1. Gachupines or Chapetones, Spaniards born in Europe.
2. Creoles, Spaniards born in Mexico.
3. Mestizoes, the descendants of Spanish and Indian blood.
4. Mulattoes, a mixture of negro and white.
5. Zamboes, the offspring of Indian and negro.
6. Negroes.
7. Indians.
8. Asiatics brought over by the Philippine Island trade (a very minor element).

For all practical purposes, where class rivalry was involved, these racial groups were reducible to three, namely, the Spaniard, the Creole and wealthier Mestizo, the lower class Mestizo and the Indian. The first element comprised the aristocracy of the land. Though constituting only one-seventieth of the population they were the dominant factor in the government, and through their official position were able to amass royal fortunes by the misuse of public revenues, the sale of political favors, the manipulation of commerce, the control of land and other natural resources. So universal was the practice of filling the higher colonial positions with Spanish officials that only four of the sixty odd viceroys who ruled over Mexico from Mendoza to O'Donojú were native born.

The Creoles (who outnumbered the Gachupines 14 to 1) and wealthier Mestizoes, many of whom were mine owners, hacendados, and powerful merchants, monopolized, like the Spaniards, the resources and wealth of the country. Between them and the Spaniards there were deep-seated sources of friction regarding political preferment and social superiority; yet there was no more real sympathy for the great mass of the common people of the land on the part of this second class than on the part of the first. To put the matter bluntly, the Creoles and wealthier Mestizoes would gladly have seen the European-born Spaniards withdrawn from Mexico, leaving in their own hands a complete monopoly of the government and wealth of the country; but they had no intention whatever of sharing either the political or economic advantage thus obtained with the people as a whole.

The lower class Mestizoes and Indians, who constituted at least ninety per cent of the population, possessed neither unity, education, property, nor even complete personal freedom. Three centuries of Spanish rule had not given them any conception of the duties and responsibilities of self-government; it had not changed in any essential their native characteristics; it had not extinguished, though it had partially smothered, their instinctive readiness to revolt; it had not welded them in any respect into a law-abiding, unified, property-respecting people. Thus, between the first two classes in control of the government and the wealth of Mexico, and the vast bulk of the population, there was a great gulf fixed, with no middle class to give the country strength, stability, and soundness in its national life. This unfortunate situation, from which Mexico has not yet freed herself, was well pictured to the crown by the bishop of Michoacán in 1799.

"The Indians and the castes (lower class Mestizoes) cultivate the soil," he wrote; "they are in the service of the better class of people....Hence there results between the Indians and the whites that opposition of interests, and that mutual hatred, which universally takes place between those who possess all and those who possess nothing, between masters and those who live in servitude. Thus we see, on the one hand, the effects of envy and discord, deception, thefts, and the inclination to prejudice the interests of the rich;

and on the other, arrogance, severity, and the desire of taking every moment advantage of the helplessness of the Indian. I am not ignorant that these evils everywhere spring from great inequality of condition. But in America they are rendered still more terrific, because there exists no intermediate state; we are rich or ignorant, noble or degraded by the laws or the force of opinion."

Additional Sources of Friction: Besides the rivalry between the wealthier native-born Mexicans and the Spanish officials, and the far more significant, though as yet scarcely articulate discontent of the common people because of their social and economic degradation, there were other factors in Mexico that presaged a swift upheaval, unless radical changes should be made before the century grew much older. The church, like the civil government, was almost entirely in the hands of Spanish favorites, and here, as in secular affairs, there was too wide a gulf between the higher and the lower orders. The parish priests, taken from the ranks of the humbler people, drew but a mere pittance by way of salary; while in contrast, the archbishop enjoyed an annual revenue of \$130,000; the bishop of Puebla received \$110,000; the bishop of Valladolid, \$100,000; and the bishop of Guadalajara, \$90,000.

In addition, the church, as the greatest money lending agency in the kingdom, had incurred the ill-will of those whose property it had taken over through mortgage foreclosure; while its enormous land holdings, comprising, according to some authorities, more than a fourth of the entire area of the country, had become an object of envy to a certain element of the population, and the basis of legitimate fear to the rest. Tithes and other ecclesiastical exactions added still further to the bill of complaints; while the repressive policy in intellectual matters, adhered to since the introduction of the Inquisition in 1571, alienated the small but influential body of liberal thinkers who were beginning to make their appearance at the close of the century.

The commercial policy of Spain, already spoken of, the corruption in government, the multitude of taxes, direct and indirect, the restriction on free economic development of the country, the feudal position occupied by the privileged classes, and the temporal power of the church were furthermore the object of attack by all those whose minds had felt the stimulating influence of the American and French revolutions.

The Beginning of the War of Independence: Yet despite these favorable conditions for revolt, Spain, either by the use of force or through the adoption of reforms, might conceivably have continued her hold on Mexico had she possessed complete freedom of action in her own affairs. But this, in 1810, she by no means enjoyed. The abdication of Charles IV in favor of his son, Ferdinand VII, had been followed by the seizure of the Spanish throne by Napoleon on behalf of his brother Joseph. The result

was a division among the Spanish populace. A small coterie supported the French usurper, but most of the nation, first led by a central Junta and afterwards under the direction of a regency, defied the government of Napoleon and entered upon a long struggle for national independence.

The effect of this movement against the crown in Spain affected very profoundly the course of events in Mexico, where conditions were already ripe for revolution. In the first place, the glamour and awe with which the person of the sovereign had previously been surrounded by his overseas subjects was now destroyed, leaving the colony bound to Spain by physical force alone. A division also occurred in Mexico as in Spain, between those who favored Joseph and those who sought to return the former dynasty to power. The Spaniards, mostly office-holders as they were, generally acknowledged allegiance to the French party; while the Mexicans and Creoles took the opposite position.

To the viceroy, Iturrigaray, who was then in power, the situation presented a critical dilemma. Rather than deal with it alone, he accordingly summoned a Junta or assembly in which, for the first time in Mexican history, the popular will was promised some measure of expression concerning an issue involving the entire kingdom. But before this Junta could be held, the audiencia, representing the Spanish party, imprisoned Iturrigaray, chose the archbishop, Lizana, viceroy in his stead and set themselves to govern the country. A number of the Creoles most active in calling the Junta, were also thrown into jail or exiled from the country; organizations were formed in many provinces to suppress any attempt at revolution; and allegiance was professed to the popular party in Spain. Thus in various ways the Creoles and wealthier Mestizoes, who saw in Iturrigaray's plan an opportunity for rising to political power, were driven into renouncing all connection with Spain and agitating a movement for independence.

Hidalgo: But the real impetus of revolution was not to come from the more influential Mexicans, aspiring to displace Spanish officials with members of their own party, but from the submerged Indian and Mestizo population, instigated by a few zealous, patriotic, and fairly well educated leaders. Chief of these was Miguel Hidalgo y Costilla, a parish priest or cura, in the little town of Dolores in the province of Guanajuato. Hidalgo, widely read in the literature of the French Revolution and sincerely interested in the welfare of the common people, began to intrigue in various quarters some months before the actual outbreak of his revolt. The latter, indeed, was precipitated before its time because of the premature discovery of Hidalgo's plans by the authorities. But before the officers could seize the conspira-

tors, the latter openly proclaimed the revolution, giving to it the famous watchword, or "Grito de Dolores"—Death to the Spaniards; down with the evil government!

The news of the uprising in Dolores, which took place September 16, 1810, spread with remarkable rapidity throughout the country; and with the sudden enthusiasm so characteristic of subsequent Mexican revolutions, thousands of volunteers immediately flocked to Hidalgo's standard. Within a few days the revolutionary forces had effected the capture of two large towns not far from Guanajuato and were preparing to move against that important city itself.

Guanajuato, at that time containing some seventy-five thousand inhabitants, was looked upon as one of the richest agricultural and mining centers in the entire kingdom. It was defended by a very considerable garrison which for better security had taken refuge in the large royal granary, or Alhóndiga de Granaditas, whose thick stone walls promised an impregnable barrier against any attack of the insurgent forces. All the European Spaniards of the city likewise shut themselves in this fortress, as well as many of the wealthier Creoles, who saw from the character of Hidalgo's forces that little distinction would be made between property of Spaniard, Creole or Mestizo, once the revolution had gained the city. The gold, silver, quicksilver and other contents of the royal treasury, as well as the most cherished possessions of the individuals who sought refuge within the granary, were also lodged behind its massive walls.

To capture this stronghold, Hidalgo had a force roughly estimated at twenty thousand men. It was a rabble, however, and not an army. A few troops from the royal garrisons in the province had joined the revolutionists, but for the most part the soldier-priest's followers were undisciplined, untrained, and armed only with slings, bows and arrows, machétes, clubs, and iron bars stolen from the mines. Yet even with such crude weapons, their overwhelming numbers, augmented by thousands of recruits from Guanajuato itself, enabled the revolutionists to seize the granary and make themselves masters of the entire city.

The victory was won at heavy cost of life. It was followed by an orgy of massacre, rape, plunder, and wanton destruction of property such as Anglo-Saxon revolutions have scarcely known since the far days of Matilda and Stephen. For almost the first time in three hundred years, the instinct of the Mexican Indian found itself freed from restraint. The oppression he had suffered from his conquerors and long-time masters prompted him to revenge. The craze for slaughter and bloodshed stripped from him the last shreds of whatever civilization he had acquired. The opportunity to loot, to give free rein to his lust, to burn and destroy whatever his wild mood decreed, was seized upon

with appalling avidity. As a result, both those in Guanajuato who sympathized with the revolution, as well as those who opposed it, suffered indiscriminately from the outrages of the insurgents. It was an unfortunate beginning for a war of independence.

Hidalgo's failure to check the excesses of his followers was partly due to sheer inability. The mob got beyond his control. But it was also the result of two clearly defined motives, in which the question of discipline figured not at all. The first of these was to strike terror into the hearts of the opponents of the movement, so that success could be more easily attained. The second was to win adherents to the revolution by holding out before the thousands to whom it would appeal the prospect of loot and plunder after every victory.

The consequences of the capture of Guanajuato were very marked. The public and private funds that fell into Hidalgo's hands were estimated at \$5,000,000, and with this huge sum and the prestige he had won from the victory, he was able to lift the movement out of the ranks of a local insurrection into the character of a nation-wide revolt. But the results were not all clear gain. The wholesale destruction of life and property consolidated the higher orders—Spaniards, Creoles, wealthier Mestizoes and the church—into determined opposition to a revolution, the success of which meant the overturning of the existing order, the downfall of the privileged classes, irrespective of race, and the supremacy of the despised lower castes. In the face of this graver menace, the rivalry between Spaniard and Creole was forgotten, and the established government found support in a quarter from which otherwise it might have met its strongest opposition.

The subsequent developments of the revolution under Hidalgo's leadership must be told in few words. Leaving Guanajuato with his forces constantly increased by fresh recruits, he entered Valladolid without opposition on October 17, and from there moved on toward Mexico City. Between Toluca and the capital, at a place called the Mount of the Crosses, his followers, estimated at nearly eighty thousand men, were attacked by a royalist force under Colonel Trujillo. In this bloody engagement the insurgents won an indecisive victory, but Hidalgo abandoned the idea of an attack upon Mexico, which lay only six leagues distant, and withdrew in the direction of Querétaro. In the meantime, a strong detachment of royalist troops under Calleja, one of the most capable of the royalist commanders, was advancing by the same road to meet the revolutionists. The two forces came together at Aculco on November 7. In the battle that followed Hidalgo suffered his first serious defeat; and after losing much of his artillery and provisions, withdrew in a disorderly retreat to Valladolid.

Before the month was over, Guanajuato had fallen into Calleja's hands, and Hidalgo had withdrawn to Guadalajara. Here, in seeking to defend the passage of the Calderon River, which lies some miles east of the city, Hidalgo's force of ninety thousand undisciplined recruits was disastrously cut to pieces by Calleja's ten thousand seasoned troops. This battle, which occurred January 17, 1811, marked the end of Hidalgo's supremacy. His army, routed, dispersed and wholly discouraged, dwindled to a remnant of its former strength. His chief supporter, Ignacio Allende, with whom he had already seriously disagreed, now deposed him from command and assumed control of the remaining troops.

The small force that remained under Allende's leadership, having retreated to Zacatecas, continued its march northward to Saltillo, apparently seeking to cross the Rio Grande, or even reach the American border. But treachery, the accompaniment of so many revolutions in Mexico, was already plotting the betrayal of the retreating company. Near the city of Monclava in Coahuila, a former supporter of Hidalgo, named Elizondo, in command of a royalist force, waylaid and captured the retreating party. The prisoners were taken to Chihuahua; and there, after formal trial, most of the leaders were executed by a firing squad. Allende, Jiménez, and Aldama, the highest officers in the revolutionary army with the exception of Hidalgo, were shot on June 26. Hidalgo, after a more prolonged trial, was executed in the early morning of July 30. The heads of the four were sent to Guanajuato, where for ten years they were enclosed in iron cages at the four corners of the Alhóndiga.

Morelos: The death of Hidalgo and his associates by no means ended the revolution. But for a time thereafter it degenerated into a bloody guerilla warfare in which the patriot forces were too often indistinguishable from the innumerable troops of bandits that everywhere sprang up with the weakening of the regularly constituted government. Between the levies of the royalists, the maraudings of these bandits, and the confiscations of the revolutionists, the country was fast being reduced to ruin. Cattle, growing crops, and all forms of trade suffered severely; but the chief injury was done to the mining industry, which passed almost immediately from a period of great prosperity into a condition of utter prostration.

During this period, the larger cities were almost wholly under control of the Spaniards; while the scattered bands that still adhered to the revolution found innumerable hiding places in mountainous districts or unfortified villages, from which they levied toll on the surrounding country, swept down on small parties of the enemy's troops, or terrorized the main highways leading in every direction from the capital. In these activities,

each band was a law unto itself, for there was no longer a common leader or an organized command. The revolution was in danger of losing itself in anarchy.

From this fate it was fortunately saved by the genius of one of Mexico's favorite heroes—José María Morelos y Pavón. Like Hidalgo, Morelos was originally a priest, born in humble circumstances. From the outset of the revolution he had distinguished himself by unwonted military ability, confining his activities for the most part to the regions between Acapulco and the capital. A number of loyal supporters, including Nicolás Bravo, Mariano Matamoras, Mier y Terán, and Guadalupe Victoria, accounted in no small measure for his success; but chief credit was due after all to the genuine qualities of leadership Morelos himself displayed.

When Morelos became the recognized head of the revolution, conditions, as already indicated, were far from favoring its success. Nevertheless, in the space of some eighteen months, he succeeded in building up a formidable army with which he won a number of important victories from the royalists and also effected the capture of a number of important cities, including Oaxaca, Orizaba and Acapulco. The success thus attained made possible the calling of the first Mexican Congress. It met September 13, 1813, in the town of Chilpancingo, in Oaxaca. Though its membership consisted of but eight delegates, this body on November 6 issued a manifesto declaring Mexico independent of Spain, and appointed Morelos commander-in-chief of the revolutionary army, and chief executive of the nation. A year later the same congress drafted a provisional constitution for the new nation.

By this time, however, the brief glory of Morelos had begun to dim. His congress, like the Second Continental Congress of the United States, had frequently been forced to adjourn its sittings from place to place to avoid capture. Finally, on November 5, 1815, while the revolutionary government was in the act of moving its temporary headquarters, Morelos was surprised by a royalist force, to whose commander he had been betrayed, and taken prisoner. Once in the hands of his old enemy, Calleja, who had displaced Venegas as viceroy, the revolutionary leader found short shrift. After having been condemned as a heretic and an insurgent by the tribunal of the Inquisition, he was degraded from his priestly office and executed by a firing squad, December 22, 1815. Just before his death he offered this brief prayer, "Lord, if I have done well, thou knowest it; if ill, to thy infinite mercy I commend my soul." Not inaptly was Morelos called "the servant of the nation."

Success Under Iturbide: After the death of Morelos, the next event of significance in the revolution was the brief success of

Francisco Xavier Mina, leader of a semi-filibustering expedition, who attempted to cooperate with the remnant of the insurgent forces still operating in scattered bands under various chieftains. Mina, an enthusiastic liberal from Spain, sought to enlist recruits and financial support for the Mexican revolution both in England and in America. Having raised a few hundred men, he landed on the coast of Tamaulipas in April, 1817, and attempted an overland march to Guanajuato, where he expected to unite with the revolutionists still left in the field. Near San Luis Potosí his handful of men met and defeated a force of 1700 royalists; but this, with a few minor successes won shortly afterwards, constituted the sole fruit of the expedition. After severe hardships and the loss of nearly his whole command, Mina himself was captured and executed, November 11, 1817.

Following the failure of the Mina expedition the prospects of the revolution underwent complete eclipse. Most of the remaining insurgent leaders were captured and shot. A few availed themselves of the clemency held out by the new viceroy, Apodaca, and obtained the royal pardon. Only Victoria and Guerrero kept the field—the former hunted like a wild beast, without a single friend or companion; the latter desperately striving to hold together a few ragged followers, hoping that in some way his pitiful band might become the nucleus for a renewed national uprising.

In the midst of this situation, when from the insurgent standpoint conditions were steadily going from bad to worse, an event occurred in Europe which changed the whole complexion of affairs and brought ultimate success to the virtually extinct rebellion. This was the Spanish revolution of 1820, the humiliation of Ferdinand VII, and the restoration of the liberal constitution of 1812. The triumph of the revolutionists in Spain accomplished for Mexico what ten years of savage fighting had failed to effect. A new vigor was infused into the movement for independence. The royalists saw little hope of permanently crushing the revolution in Mexico with the liberals in the saddle at Madrid. Finally, certain of the more powerful classes previously opposed to the revolution (including especially the higher dignitaries of the church) saw with despair that the new order in Spain presaged a serious curtailment of their privileges both in Spain and in the colonies, and so resolved, by making themselves leaders of the revolution, to bend it to their own purposes and thus to save in Mexico what the liberals were denying them in Spain.

The leader of this new phase of the revolution was Augustín de Iturbide, a native of Valladolid (Mexico), who from 1810 to 1816 had been one of the most vigorous and ruthless opponents the movement for independence had anywhere encountered.

Because of popular dissatisfaction in one of the provinces over which the viceroy had made him military ruler, Iturbide had been removed, and for a number of years lived in retirement. From this obscurity he was recalled by a group of conspirators who hoped to bring about the independence of Mexico from the new régime in Spain. Obtaining the viceroy's appointment to lead a considerable force into the south of Mexico, where Guerrero was still at large, Iturbide soon made common cause with the revolutionary commander and on February 24, 1821, published a pronunciamiento called the Plan of Iguala.

This document proclaimed the independence of Mexico from Spain, ordained the Roman Catholic religion as the only religion to be tolerated in the country, guaranteed protection to the regular and secular clergy in all their rights and properties, set up a constitutional monarchy, with Ferdinand VII the chosen sovereign, and proclaimed the perfect equality of Mexicans and Spaniards. The support of the new government was entrusted to the "army of the three guaranties," so called because of its obligations to defend the Roman Catholic Church, maintain independence, and preserve the union of Spaniards and Americans.

The success of the revolution under Iturbide's leadership and the Plan of Iguala was assured from the beginning. Royalists, clergy, and old-line revolutionists alike flocked to his standard. The viceroy, Apodaca, was forced by his own supporters to resign, thus making way for a man of more liberal tendencies, General Juan O'Donojú. When the latter reached Mexico, he found the country so completely under revolutionary control that only three cities remained in the hands of the royalists. It was not long, accordingly, before he began to negotiate with the revolutionists. The result was the celebrated convention of Cordova. By the terms of this agreement, O'Donojú recognized the independence of Mexico under a form of government which still bound that country very closely to Spain. The throne of the new empire was first to be offered to Ferdinand VII; and then in case of his refusal, to his brother, Charles. If Charles declined, two other possible European candidates were to be approached; and if neither of these accepted, the sovereign should then be chosen by the Mexican Congress.

Following the signing of this treaty, Iturbide marched into the capital in great state, September 27, 1821, and was everywhere greeted as the liberator of the nation. The city council, or ayuntamiento, presented him with a gold key upon a silver platter. The people shouted themselves hoarse with enthusiasm. The Imperial Gazette proclaimed the triumph greater than any witnessed in Imperial Rome.

With the suspension of O'Donojú's powers, a regency with Iturbide as its head was next appointed to govern the country until the emperor should be chosen, and in February, 1822, the

first congress elected under the Plan of Iguala assembled at the capital. Almost from the beginning this body set about disputing the powers of the regency. The next month word came that the Spanish government had rejected the treaty of Cordova *in toto* and refused to sanction Mexican independence.

A Short-lived Empire: Spain's action presented an opportunity of which Iturbide was quick to take advantage. On the night of May 18, 1822, a mob formed in the streets of the capital, and under the influence of pulque, excitement, and a few turbulent soldiers, proclaimed Iturbide Emperor of Mexico. The latter, after a show of reluctance customary in such cases, gave his consent to this tumultuous choice. The next day, after considerable opposition, he was formally proclaimed "Constitutional Emperor of Mexico" by an extraordinary session of congress and took the title of Augustus the First. A month later the same body passed a law declaring the monarchy "moderate, constitutional, and hereditary." On July 21, Iturbide was formally crowned emperor in the great cathedral of Mexico, amid an ostentatious display and the shouts of the multitude.

The rule of the new sovereign was short-lived. The adherents of Ferdinand secretly sought his overthrow. The republicans were outraged by the regal airs of his court. Congress found its powers constantly trespassed upon by his assumption of authority. A keen observer, early in his reign, thus foretold his overthrow—and incidentally diagnosed the weakness of many a subsequent administration under the republic.

"With a pleasing address," wrote Joel R. Poinsett, later American minister to Mexico, "and a prepossessing exterior, and by lavish profusion Iturbide has attached the officers and soldiers to his person, and so long as he possesses the means of paying and rewarding them, so long will he maintain himself on his throne; when these fail he will be precipitated from it. It is a maxim of history, which will probably be again illustrated by this example, that a government not founded on public opinion, but established and supported by corruption and violence, cannot exist without ample means to pay the soldiery, and to maintain pensioners and partisans."

The struggle between Iturbide and congress came to a head in the fall of 1822. After imprisoning a number of the leaders of the opposition, the emperor issued a decree on October 30 dissolving congress and set himself to govern the country with the aid of a self-constituted junta. Almost immediately discontent flared forth into action. On December 2, Santa Anna, a man whose ambitions were not unlike those of Iturbide himself, "proclaimed" against the government at Vera Cruz. Victoria, Bravo, and Guerrero, battle scarred leaders of the revolution as they were, soon joined the movement. On February 1, 1823, the Plan of Casa Mata, signed by numerous army officers, furnished a basis for organized revolt in favor of a representative government as opposed to Iturbide's autocracy. By March, the oppo-

sition had become strong enough to force the emperor's abdication. On April 7, congress declared the original coronation of Iturbide null and void, voted him an annual pension of 25,000 pesos, and exiled him from the country. A few days later, the same body ordered the election of delegates to a constitutional convention and proclaimed a republican form of government for Mexico.

After a brief stay in Italy, where he apparently came to fear the designs of the Holy Alliance to reconquer Mexico, Iturbide offered to return to his native land to aid congress in whatever capacity the government might choose. Instead of accepting his offer, however, congress declared him an outlaw and voted the death penalty against him if he should set foot on Mexican soil again. Ignorant of this proscription, Iturbide landed on the coast of Tamaulipas with a single companion, July 15, 1824. He was recognized and arrested by the military commander of the district. When his case was laid before the legislature of Tamaulipas, that body voted his execution in keeping with the national decree already spoken of. The sentence was carried out four days later in the small town of Padilla. In 1838, the "Liberator's" remains were transferred to the capital, where they were buried in the stately cathedral in which the bodies of Hidalgo, Allende, Morelos and other "benemeritos" had already been interred.

VI. FROM INDEPENDENCE TO DIAZ

Problems of the New Government: The abdication of Iturbide left Mexican politics in extreme confusion. The constituent congress, which began its sessions November 7, 1823, sat almost a year before completing its labors. From the very beginning the delegates were divided into two clearly defined parties—the centralists and federalists. The former wished to keep the national government as supreme under the republic as it had been under the Spanish monarchy, when the provinces and intendencies were merely administrative units. The federalists, backed by many local bodies throughout the country, sought to divide the powers of government between the national authority and the authority of the states. Their model for this was the government of the United States.

In the case of the United States, however, the division of powers was the result of historical circumstance. In Mexico, it was purely artificial. In the former instance, the thirteen states created the federal government and voted to it a share of their own sovereignty. In the case of Mexico, there were no states until the central government had created them. The United States of America represented a fusion of powers to

obtain unity and strength. The United States of Mexico represented a division of powers at the expense of unity and strength.

Aside from the adoption of the federal principle and the division of the country into eighteen states and four territories, the new constitution, proclaimed October 4, 1824, contained a number of provisions of peculiar interest. The legislative and executive branches of government were modeled closely after those of the United States. Congress consisted of two houses, the one comprised of two members from each state, the other chosen according to population. The president was elected for four years and had the power of veto. The chief departures from the provisions of the American document lay in the establishment of the Roman Catholic religion as the only religion legally permitted in the country; in vesting the executive with certain arbitrary powers of arrest; in establishing a special committee, composed of one senator from each state, to exercise various functions of congress when that body was not in session; and in giving congress instead of the courts the power of interpreting the constitution. A number of these provisions, one might add, have been adhered to in all subsequent Mexican constitutions.

Even before the constitution was formally approved, Guadeloupe Victoria and Nicolás Bravo, distinguished generals of the revolution, had been chosen president and vice-president respectively of the republic. The problems of Mexico, however, were by no means solved with the inauguration of the new government; and to understand the subsequent course of Mexican history, it is necessary to appreciate in some fashion how difficult and deep rooted many of these problems were.

The ten years of revolution through which the country had just passed left behind a legacy of evil. The chief industries of the country, especially mining and agriculture, were completely demoralized. Almost all the available capital had been dissipated or driven out of the country. Roads and bridges had been so destroyed by the military forces, or had gone so long without repair, that transportation was virtually at a standstill. Public revenues had fallen to 50 per cent of their former amount, while national expenditures were running twice as large as the receipts. Labor was badly disorganized as the laborers had either been killed or scattered by the contending forces. In short, the purchasing and producing power of the country was at its lowest ebb. From the economic standpoint, Mexico was bankrupt.

But the effects of the revolution in a material way were even less unfortunate than its influence along other lines. The excesses of the armies (both Spanish and Mexican alike), the unrestrained cruelties, the looting and confiscation of property, the collapse of authority and non-enforcement of law all alike served to create a spirit of revolution throughout the country which the mere proclamation of a republic could not allay, and to give to

brigandage and crime (by no means dormant during the colonial period) a more fertile soil for development than ever they had known before. The revolution also laid open the northern frontiers to unrestrained Indian attack and weakened Mexican control over the border provinces.

Such, in the main, was the heritage left by the revolution to the new republic. But these difficulties constituted only part of Mexico's dilemma. To restore order and establish the reign of law; to revive industry and develop commerce; to place the government finances on a satisfactory basis and to obtain foreign capital for public and private needs; to secure the recognition of other nations for the independent republic; to protect the national domain against disintegration by revolution or encroachment from abroad—these were the obvious and immediate problems with which the country had to deal.

Less apparent, but even more serious difficulties, however, lay in the path of Mexican progress. The revolution had not destroyed the class system under which all political and economic control was exercised by an insignificant minority. The church still kept its temporal power; while ecclesiastics and military officers alike enjoyed special immunities and privileges before the law. The monarchists were very much alive; while the republicans had divided into petty factions instead of consolidating into organized parties. Capable and unselfish leadership was lacking. Accordingly, its place was taken by men of no great ability who, through control of the army or by resort to revolution, elevated themselves to office and maintained a precarious hold on power through dispensing favors and funds derived from the national revenues to a select coterie of supporters.

The people themselves were uneducated, living from hand to mouth in abject poverty, afflicted with diseases and lacking energy or ambition, oppressed in every conceivable fashion by their superiors and bound in most instances by a system of peonage little better than slavery. To expect such a people to make a success of representative government was clearly to look for the impossible. The people did not even participate in the government, except as they became the tools of revolutionary leaders. Success in self-government does not come by inspiration, but by long training, hard experiment, and the development of popular education. Mexico, having none of these prerequisites, was undertaking a gigantic task.

A Decade of Revolution: The result was a kaleidoscopic change from one administration to another during the first decade of the republic. As Victoria's term drew toward its close, he was faced by a revolt led by the vice-president, Bravo. In the election of 1828, Guerrero, an uneducated military hero, was opposed by Pedraza, a man of Spanish blood and long training

in political affairs. By skillful manipulation of the election machinery, Pedraza won the presidency; but a mutiny at Jalapa, led by Santa Anna, started a revolution in which Guerrero succeeded in forcing Pedraza to flee the country, after only a few weeks in office. Guerrero was then proclaimed president, and Anastasio Bustamante became vice-president. The new administration had been in office less than nine months when Bustamante revolted against his chief, and with the aid of Santa Anna caused his overthrow. After a number of military reverses Guerrero was treacherously seized on board a vessel in Acapulco harbor and executed by a firing squad.

The success of Bustamante, however, was not more permanent than that of his predecessor, though the repressive measures he employed to discourage opposition were much more severe than those Guerrero had countenanced.

"The opponents of his administration," wrote Rives, "were imprisoned, banished, or shot. The press was effectually muzzled. The army in general was well paid and its officers encouraged. The church also was not neglected. And if there had only been officers enough to satisfy everybody, there was no reason why Bustamante's administration should not have continued indefinitely."

The supply of offices failing, however, Bustamante, like Guerrero, went out of office on the heels of a revolution. This affair, assuming serious proportions in January, 1832, with an uprising in Vera Cruz of which Santa Anna took command, continued for nearly a year before Bustamante found it best to abdicate. By a curious compromise Pedraza was then placed in power to serve out the few months of the unexpired term to which he had been elected nearly four years before.

This arrangement, made to suit the convenience of the victorious revolutionists, was followed by a farcical election in which Santa Anna became president and Gomez Farias acquired the title of vice-president. Antonio López de Santa Anna, for nearly a score of years the outstanding personage in Mexican history, was a politician whose virtues were conspicuous by their rarity. Control of government in his eyes meant particularly the control of the public treasury. National welfare was wholly subordinate to his own ambitions. The presidency offered unusual advantages for personal gain, it was therefore to be eagerly sought for and zealously held.

For some months after his inauguration, which occurred April 1, 1833, Santa Anna held fairly aloof from public affairs, allowing Farias to exercise most of the presidential powers. Farias, a man of advanced liberal views, vigorously proceeded to carry out his reforms, aiming especially to reduce the secular power of the church and to place the military in a subordinate position to the civil authority. As a result of these reforms, Farias found the country once more stirred by revolution. Santa Anna

returned to the capital in April, 1834, and assumed the duties of the presidency. A reactionary party, comprised chiefly of army and church supporters, proclaimed the plan of Cuernavaca and besought Santa Anna to annul the legislation enacted by Farias, dissolve congress and suspend the constitution. The petition fell upon ready ears. As rapidly as conditions would permit, Santa Anna assumed the role of dictator and delegated to himself the entire sum of government functions. Congress, cabinet, and state legislatures were all alike dispensed with, while even the local offices were filled with creatures of his own choosing. In this position of supremacy, the dictator was to remain until the Texas revolution brought about his temporary discomfiture.

Foreign Issues: While the internal politics of Mexico were thus pursuing their tortuous course, the foreign relations of that country were becoming but little less involved. Mexican independence had been recognized by the United States, where there was deep sympathy for the revolutionary cause, as early as 1822. But it was not until three years later that the first American minister, Joel R. Poinsett of South Carolina (for whom the Poinsettia is named) took up his duties in the Mexican capital. In the interval, due at least in part to British influence, an unfortunate spirit of suspicion and hostility had developed toward the United States.

Poinsett's career in Mexico, especially during the first few years, did little to allay this antipathy. At that time there was a bitter feud between the two rival branches of the Masonic order (known respectively as the Escoces or Scottish Rite adherents, and the Yorkinos, or those who followed the York ritual) for the political control of the nation. Poinsett, himself a Mason, displayed great activity in organizing York lodges and in building up that wing of the order, because its membership represented the liberal, anti-clerical element in the country, while the Escoces were generally opposed to the republic and favorable to the maintenance of the privileged classes. As a result of this unwarranted interference in Mexican politics, Poinsett found himself a most unwelcome personage to the Scottish party. His expulsion from the country was urged by several of the state legislatures and also figured as one of the formal objects of Bravo's revolution in 1827-28.

Partly as a result of Poinsett's course, but more especially because of the confused state of Mexican politics, the two chief objects of his mission, namely, the adjustment of the American-Mexican boundary, and the negotiation of a commercial treaty, remained unaccomplished. In the meantime, British diplomats and British investors had established their positions firmly in the country, and were giving an English tinge to many a Mexican policy. This British interest in Mexico was primarily of

economic origin. All through the colonial period, the merchants and shipmasters of England sought to break down the exclusion policy of Spain. By smuggling, special treaties, and the greater freedom allowed under Charles III, this in some measure was accomplished. But the coming of independence promised a much more complete realization of commercial and allied opportunities in Mexico than English business had ever experienced before. The chief fields of this activity were four in number: (1) The development of Mexican markets for English goods and the acquisition of raw materials for British industries. (2) The control of the Mexican carrying trade. (3) The floating of a Mexican loan in England at high interest rates. (4) The acquisition and exploitation of Mexican mining properties, which the revolution had forced into idleness and almost ruined.

The initiative along these lines did not originate altogether in Great Britain, for the Mexican government itself, immediately independence had been proclaimed, sent its agents to the United States and to various European countries seeking to induce foreign capital to come into Mexico and to negotiate a government loan. These agents, as already indicated, were chiefly successful in Great Britain, though a small amount of German and American money was also enlisted in the development of Mexican mines. American merchants, both by water shipments and through the overland St. Louis-Santa Fé-Chihuahua trade likewise furnished formidable competition to the English houses; but for the most part the economic opportunities offered by Mexico were pretty largely monopolized by British interests during the first decade or more of the republic.

With the close cooperation that has always existed between the English government and English business, the diplomacy of the former was exerted to stimulate the reliance of Mexico upon British industries and capital, and to weaken, so far as international usage would permit, the position of rival nations, especially that of the United States. In this particular instance, however, British ambitions were sadly disappointed. The millions of pounds invested in Mexican mines were almost a total loss, while the purchasers of Mexican bonds for a long time fared but little better than the investors in mining stocks.

The independence of Mexico, recognized by most European countries through the friendly offices of Great Britain and the United States, was not acknowledged by Spain for many years. A Spanish garrison held out in the fortress of San Juan de Ulúa until the closing part of 1825. For several years thereafter, Mexican and Spanish vessels continued to fall foul of one another off the Gulf and Cuban coasts, and in 1829 occurred the last organized effort of Spain to regain control of her lost colony. An expedition of some 3000 men under command of Gen. Baradas left Havana in July on board a fleet of fifteen transports

convoyed by five men-of-war. The force was landed near Tampico, after which the vessels returned to Havana. The result of the ill-managed affair was never seriously in doubt. A royalist uprising, upon which the Spanish monarch had counted, having failed to materialize and most of the troops being stricken with the plague, the remainder surrendered to Santa Anna, who thus became a national hero and laid the foundation for his later political supremacy. Another by-product of the invasion was the enactment of stringent laws banishing those of Spanish birth from Mexico.

Loss of Texas: Following this fiasco, little occurred outside of domestic politics to excite comment (except, perhaps, the final enactment of a treaty of commerce with the United States) until the outbreak of the Texan revolution. The causes of this movement cannot be discussed here at length. It is sufficient to say that the influx of Anglo-Saxon settlers into the largest of Mexico's outlying provinces presented a problem that the type of rulers then in charge of the nation's affairs were in no wise competent to solve. Short-sighted and aggravating legislation, coupled with Santa Anna's usurpation of authority, soon led to armed resistance on the part of the Texas settlers, nominally at least in defense of the republican constitution and to secure the separation of Texas from its preposterous dependence upon the government of Coahuila.

From this beginning, the revolt soon became a movement for independence. The government of Santa Anna, never free from the menace of rival factions, lacking funds to equip an adequate expedition to reduce the Texans because of constant raids upon the treasury, and compelled to pay as high as 40 per cent upon such loans as could be negotiated, was in no position to prevent the secession of the province. The capture of the Alamo and the barbarous massacre of four hundred Texan prisoners at Goliad merely stiffened the Texas purpose and intensified the anti-Mexican feeling throughout the United States. The climax came in the utter rout of the Mexican forces, led by Santa Anna in person, at the battle of San Jacinto. In this engagement the Texan loss was two killed and twenty-three wounded. The Mexican loss was six hundred and thirty killed, two hundred and eight wounded, and seven hundred and thirty taken prisoners. Among the last was Santa Anna himself, who was captured nine miles from the battlefield as he was attempting to conceal himself in the tall sedge grass, disguised as a common soldier.

This battle marked the end of the Mexican invasion. Santa Anna, after negotiating a treaty with the Texas government, which the Mexican congress repudiated and which he himself had no intention of honoring, was held many months a prisoner and finally sent to Washington for an interview with President Jack-

son. From Washington he returned to Mexico, having lost much of his prestige but none of his ambition or capacity for intrigue.

Some months after the battle of San Jacinto, but before Santa Anna's return, the Mexican congress, acting as a constituent assembly, drafted a new constitution, commonly known as the Siete Leyes. This document, strongly centralist throughout, was especially noteworthy because it reduced the states to the status of provinces and placed their governments almost completely under national control. Anastasio Bustamante, the first president to serve under the new constitution, faced serious difficulties. Spain after the lapse of a decade and a half, had finally accepted the inevitable and recognized Mexican independence. But friction over unpaid claims had so developed between Mexico and France that the latter prepared to enforce her demands by a hostile demonstration. After blockading the chief harbors along the Gulf to no very good purpose, the French fleet shelled and captured the fortress of San Juan de Ulúa and afterwards made an attack upon the city of Vera Cruz. In this engagement Santa Anna lost his left leg, but more than retrieved this misfortune by the fame he acquired as a popular hero. The French claims were finally adjusted by the payment of six hundred thousand dollars, and the grant of certain privileges to French subjects resident in Mexico.

More Revolutions: Even before the French difficulty was out of the way, Bustamante was confronted with a growing unrest throughout the country, incited chiefly by leaders of the federalist party who urged the states to resist the encroachments of the national government. Yucatán, Tabasco, Coahuila, and other outlying states were involved in the movement; and finally, on July 15, 1840, an insurgent force, having liberated Urrea and Farias, two of the leaders of the revolt, took possession of the national palace itself. For ten days, there was fighting in the capital, with much more damage to the non-combatant inhabitants than to members of either contending force. At the end of that time, a compromise was arrived at which left Bustamante still in control of the government.

Before the next year's close, however, a much more formidable revolution, lead by Paredes and Santa Anna, was in full swing. It had no connection whatever with the federalist program of the preceding summer, but was solely the work of men characterized by "disloyalty, hypocrisy, and the most sordid calculation." In other words, Santa Anna and his satellites wished once more to enjoy the rich spoils of office, and under high sounding phrases threw the country into civil war to accomplish that desire. Within two months, Bustamante had been overthrown, the constitution of 1836 set aside, and a document, known as the Bases of Tacubaya, under which Santa Anna enjoyed a com-

plete monopoly of power, was in effect. For more than two years, under the guise of provisional president, this self-acclaimed patriot ruled the country. Then, having forced the suspension of a federalist congress and secured the enactment of a reactionary constitution, by a thoroughly manipulated election he was chosen president for five years. But even Santa Anna could not retain the Mexican presidency for a full presidential term. The extravagance and corruption of his administration; the constant demands of the military leaders upon whose support he had to depend; and a growing discontent over his failure to reconquer Texas, afforded his antagonists ample opportunity for stirring up the popular discontent. Santa Anna's demands for an appropriation from congress with which to organize a campaign against Texas, led to increased friction and the special tax finally voted for the purpose only stimulated the widespread opposition.

The revolt began in Jalisco in the fall of 1844 and the garbisons of various towns shortly afterwards proclaimed against the government. Paredes came forward to lead the movement, congress showed itself defiant of presidential authority, and finally the revolt spread to the capital itself. Santa Anna, unable to effect a compromise with his victorious opponents, was deposed from office and exiled from the country. Taking up his residence in Cuba, he kept a watchful eye upon the course of affairs in Mexico until in the war with the United States he found an opportunity to return to power.

Santa Anna's successor to the presidency, General Herrera, faced a gloomy situation. The treasury was bankrupt, the army was mutinous, the capital was honeycombed with revolutionary plots, his nominal supporters were poorly organized and disloyal, and congress was only too ready to lay upon the executive responsibility for all the national ills. The country's external problems had also reached a critical pass. Popular clamor was demanding an impossible invasion of Texas; California was on the point of declaring her independence; and the United States was pressing for a settlement of the difficulties between the two nations in a decidedly hostile fashion.

War with the United States: This last circumstance served as the immediate cause of Herrera's overthrow. Diplomatic relations with the United States were severed as a result of the annexation of Texas; but this was done in response to popular demand and was not the deliberate choice of the Mexican government. The Polk administration for various reasons was anxious to send a minister to Mexico; and Herrera, except for the fear of public outcry, was no less ready for a restoration of amicable relations. It was finally intimated to President Polk that Herrera would receive an American envoy for the settlement of difficulties between the two nations. Accordingly, John

Slidell was despatched from New Orleans to negotiate with the Mexican government.

Meanwhile, General Paredes, who had already figured as the leader of numerous revolutions, was planning the overthrow of Herrera. The coming of Slidell gave him the desired excuse to proclaim his revolution, even though Herrera, fearful of the storm he saw approaching, refused on the grounds of a technicality to recognize the American representative. Paredes began his revolt on December 14, 1845. On the 31st, he was in possession of the capital, Herrera having left the national palace. The character of the revolution may accurately be judged from Paredes' own words—"I am resolved," he said, "to make my ideas triumph...so I will shoot anybody who starts out to oppose me, whether he is an archbishop, a general, a magistrate, or anybody else." In the face of such a threat no opposition developed, and on January 3 the subservient electors went through the farce of casting their ballots for president. Strangely enough the vote was unanimous for Paredes.

Within a few months after Paredes assumed office, war had broken out between Mexico and the United States. The immediate cause for this was an attack upon a small American force commanded by Captain Thornton, who was operating as part of General Taylor's army in the disputed territory opposite Matamoras on the Rio Grande. The real causes of the war, however, were far more important than this border skirmish. Mexico was suspicious and fearful of the United States and had accused the American government of fomenting the revolution in Texas in order to bring about the annexation of that province. On the part of the United States, the grounds of complaint against Mexico were of long standing and extremely aggravating. Claims of American citizens (the payment of which had been the subject of frequent negotiation and the justness of a large part of which Mexico had admitted) remained unsatisfied. In her international relations Mexico had been evasive and often guilty of gross violations of diplomatic usage. The rejection of Slidell, first by Herrera and later by Paredes, still further added to the impatience of the Washington government. The Mexican attitude toward Texan annexation, and her refusal to negotiate a settlement of the disputed boundary, intensified the friction between the two countries. Finally, the American desire for California, over which Mexico had long exercised no shadow of actual control, and the fear that the province would slip into British hands, urged the Polk administration to drastic action.

The attack on Captain Thornton's party was made April 24, 1846. On May 11, the American Congress voted almost unanimously in favor of a declaration of war. In Mexico conditions were hopelessly confused. There was no money in the treasury, no loyalty among the people for the Paredes administration, no

unity or plan of action in the face of impending invasion. A monarchistic party, headed by Lucas Alaman, was seeking to bring in a foreign prince. Congress, elected under an elaborate plan designed to favor the privileged classes, was universally denounced. From his exile in Havana, Santa Anna, the man of many vicissitudes, was awaiting his opportunity to seize the government. This he was able to do, thanks to the short-sighted connivance of the United States, before the Paredes administration had been quite nine months in power.

The war, meanwhile, in spite of a widespread belief among the masses that the United States soldiers were lacking in bravery and military skill, was going strongly against Mexico. As eventually worked out, the American plan of campaign called for four lines of invasion. A force under Colonel Stephen W. Kearny, known as the Army of the West, was entrusted with the conquest of New Mexico and California. In the latter province a naval squadron, cooperating with volunteers from among the American residents and the members of a United States exploring expedition commanded by J. C. Frémont, had already occupied the strategic centers.

A second army, under command of General Zachary Taylor, after winning the sharp engagements of Palo Alto and Resaca de la Palma moved southward for the capture of Monterrey and threatened the capital from the north. This was known as the Army of Occupation. Cooperating with Taylor's force, a smaller command under General Wool, known as the Army of the Center, was designed for the conquest of Chihuahua and Coahuila. Lastly, the Army of Invasion, led by General Scott, was faced with the task of capturing Vera Cruz and occupying the capital. While these forces were carrying on the war by land, the United States Navy occupied the important Mexican ports on the Gulf and Pacific coasts.

With the details of the war, there is no space to deal. After Santa Anna's return from exile, he was made commander-in-chief of the Mexican forces, and a good deal of temporary enthusiasm was aroused against the American invasion. But the Mexican cause met with an unbroken series of disasters. On September 25, 1847, after several days of heavy fighting, General Ampudia surrendered the important city of Monterrey to the forces under Taylor. In February of the next year, in the battle of Buena Vista, the same American commander, with less than 7000 men overwhelmingly defeated the "Liberating Army of the North," consisting of over 20,000 Mexican troops led by Santa Anna. In this campaign the latter lost something over 8000 men, but attempted to represent the defeat as a hard-won victory in his reports to the capital.

The battle of Buena Vista, coupled with the occupation of New Mexico and California, shifted the center of military activi-

ties to Vera Cruz and the capital. On March 29, the former city and the strong fortress of San Juan de Ulúa surrendered to General Scott's force of 10,000 men after a terrific bombardment from land and sea lasting for seventeen days. On April 18, at the pass of Cerro Gordo, not far from the city of Jalapa, the invading army stormed an almost impregnable position held by 15,000 troops under the command of Santa Anna in person. The battle went the way of all other major engagements in the war. The Mexican forces were driven from their position, losing many hundred in killed and wounded. Santa Anna, Canalizo, and Almonte fled while the engagement was still in progress; a detachment of 3000 laid down their arms in a body; and the retreat of the remaining army became an indescribably confused and panic-stricken rout.

Behind the defenses of Contreras and Churubusco, just outside the gates of the capital itself, Santa Anna risked another engagement. All the remaining Mexican forces, some 27,000 in number, were brought together to resist the invaders. But the battle, though heroically fought for a time, was only a repetition of all that had gone before. The Mexican loss was nearly 3000 killed and wounded and almost as many in prisoners. Santa Anna's final stand was made in the castle of Chapultepec. But the 10,000 men he had concentrated here were dislodged and driven in confusion into the city.

The Treaty of Peace: The fall of Chapultepec occurred September 13, 1847. That night Santa Anna, with a pitiful remnant of the Mexican army, abandoned the capital and fled toward Puebla. As a result of the fighting in the Valley of Mexico alone, the Mexican forces had suffered a loss of over 7000 killed and wounded, nearly 4000 prisoners, including thirteen generals and three ex-presidents, and the greater part of their ammunition, ordnance, and supplies. Almost equally serious were the wholesale desertions of the unclothed, unfed, unpaid, undisciplined, and discouraged common soldiers. Their patriotism then, as always, required success rather than reverses to keep itself alive. Thus the capture of the capital to all intents and purposes ended the war. On September 16, Santa Anna resigned the presidency to forestall his forced retirement by congress. On October 7 he was deprived of the command of the army and a few months later left Mexico under safe conduct from the American authorities, to remain in exile until another turn of the wheel brought him back for a final hour of triumph.

Santa Anna's successor to the presidency was Manuel de la Peña y Peña, presiding judge of the supreme court. His first task was to create a government; for in the confusion incident to Santa Anna's resignation and the loss of the capital, no one could say surely whether the federal government was still in

existence or had ended in dissolution. A sort of rump congress, however, had begun its sessions at Querétaro and with this as a nucleus, Peña succeeded in establishing at least a *de facto* government with which the United States might treat.

The treaty negotiations were long drawn out and frequently promised a fruitless end. This result would have meant the long continued and perhaps permanent occupation of Mexico by the United States. In the latter country there were three parties, namely, those who wished (or professed to wish) no acquisition of territory from Mexico; those who were anxious to obtain California and other regions north of the 32° parallel; and those who sought to annex all or most of Mexico to the United States. If it had not been for party politics and the slavery question, the last mentioned group would have accomplished their purpose.

In Mexico, the political situation was extremely chaotic. One party wished to continue the war in order to bring about Mexico's annexation to the United States; a moderate group, led by Peña, sought to effect as speedy and favorable a peace as possible; the monarchists were hopeful of reestablishing the empire; and Santa Anna's adherents were secretly planning his return to power. Peña y Peña, having served his allotted time, gave place to General Anaya, a member of the moderate faction. Negotiations were accordingly continued with the American commissioner, Nicholas P. Trist, until after many delays and apparent failures, the Treaty of Guadalupe Hidalgo was completed. Ratifications were exchanged May 11, 1848, and the two countries were once more at peace.

The most important provisions of the treaty dealt with the cession of territory. Mexico lost what is now the states of New Mexico, most of Arizona, California, Nevada, Utah, and parts of Colorado and Wyoming. The ceded territory included something over 500,000 square miles, or more than two-fifths of the total area of the country. For this she received \$15,000,000 in cash and the cancellation of \$3,250,000 in claims held against her by American citizens. The sacrifice in territory was not so great, however, as it superficially appeared. California, the most valuable of the lost provinces, was in fact independent of the mother country—barring only a nominal allegiance—before the war began. The rest of the territory, except the settled portions of New Mexico, was occupied only by Indians, and over it Mexico could not possibly exercise control. The contraction of boundaries which resulted from the treaty was thus an actual advantage to the real Mexico. Her government was rid of one of its most perplexing problems, and the control of her remaining territory lay at least within the realm of possibilities.

Six years after the Treaty of Guadalupe Hidalgo the United States acquired through the Gadsden Purchase 54,500 additional

square miles of Mexican territory to afford an all-American right-of-way for the Pacific railroad. The purchase price was \$10,000,000. The territory ceded lay between the Rio Grande and the Colorado River and for the most part south of the Gila.

The Constitution of 1857: The close of the war with the United States found Mexico in sad straits. The chronic bankruptcy of the national treasury and the constant intrigues of rival candidates for the presidency (a position which Herrera filled for over two years after peace had been declared, with considerable credit) were supplemented by a bloody race war from 1849 to 1851. About the same time, the republic was threatened with disintegration by a series of state revolts. During the war with the United States, Yucatán had set up a separate government; and only a short time after the treaty of peace several of the border states, harassed by Indian attacks which the federal government could not repel, and heavily taxed to meet expenses from which they derived no benefit, sought to establish an independent government known as the Northern Republic. The movement, however, lacked the necessary leadership to become effective.

In 1851 Herrera gave place to Arista. The financial problems still remained acute, with expenditures exceeding receipts by more than 200 per cent. Political factions continued their active rivalries, while discontent with the administration increased with every attempt the government made to raise the taxes. The country's industries and economic life were almost demoralized. Brigandage and crime went on virtually unchecked. Indian forays along the frontier seriously depopulated the northern states. Filibustering expeditions, chiefly American, threatened to dismember the republic.

Arista could not withstand so much adversity. In January, 1853, he resigned, to be followed, after a brief ad interim, by the recalled exile, Santa Anna. The latter, who had been intriguing all along for a return to power, almost immediately sought to make himself dictator, with the ultimate purpose of establishing an empire and placing himself at its head. The government was accordingly centralized as never before, and a whole host of supporters were bribed by appointments to civil or military offices, especially created for the purpose, to carry out Santa Anna's scheme. After a superficial triumph, however, the latter fell to earth. Numerous minor uprisings were consolidated into a major movement under Álvarez. The plan of Ayutla, demanding Santa Anna's removal, the framing of a new constitution, and the establishment of a representative government, gave a definite program to the revolution. Ignacio Comonfort, commander of the garrison at Acapulco, added his strength to the movement; and in attempting to capture this stronghold, Santa

Anna suffered such a decisive reverse that his cause was ruined. On the 9th of August he left the capital for Vera Cruz; and here, after a few characteristic proclamations, took ship for Havana. Though he afterwards returned to Mexico and died there in 1876, his political career was ended. He had enjoyed the fruits of supreme power and enriched himself at the public treasury for the last time.

The years immediately following Santa Anna's overthrow were marked by one of the few real struggles over questions of principle that Mexican politics has ever known. The issues involved had chiefly to do with the privileges of the church and of the army. Both institutions had been in large measure exempt from the workings of the ordinary law. Both claimed the right of having offenses committed by their officials tried in special tribunals. The higher clergy, especially, generally supporting the most reactionary element in the government, had frequently been involved in attempts to overthrow the republic and establish a monarchy. More than this, the church's enormous land holdings had become a matter of grave economic concern; while its willingness to join in a revolt against any government that might either curtail its privileges or tax its possessions made it a source of constant danger to the peace of the country.

The army, even more than the church, had been the perennial field of revolution. Not once since independence had the civil authority been freed from the danger of military supremacy. The vital need in Mexican politics after the collapse of Santa Anna was, therefore, to make all citizens equal before the law and to establish the government upon a constitutional rather than upon the military-ecclesiastical basis heretofore prevailing.

The first effective measure of the liberals, enacted while Álvarez was still president, was the Law for the Administration of Justice; or, as it is better known from the name of its framer, then at the head of the supreme court, the Law of Juárez. Under this decree, class legislation was abolished, military and ecclesiastical tribunals for offenses against the civil law were suppressed, and the privileges previously enjoyed by the army and clergy generally annulled. Shortly after the promulgation of this law Álvarez was succeeded by Comonfort, a man of more conservative type. But a revolution, chiefly engineered by ecclesiastics and disgruntled military leaders, for a time threatened even his administration. The defeat of this movement was followed by the confiscation of much church land and of the estates of the revolutionary leaders. In 1856 the Jesuit order was suppressed, a fate it had once before suffered under Charles III. This was followed by a law of much wider application, enacted while Lerdo was justice of the supreme court and called by his name, prohibiting civil and religious corporations from holding

land and allowing the tenants of such property to purchase it on easy terms.

In the meantime, to further the liberal policies and make them more permanent, a constituent congress was assembled to draft a new instrument of government. The body began its sessions February 18, 1856, and completed the constitution February 3 of the next year. This document, which nominally remained in effect until 1917, was a much more advanced constitution than Mexico had ever known before. The liberal ideas of federalism, suppression of class privileges, state supremacy over the church, and many of the personal rights found in the United States constitution were embodied in it.

The church party and conservatives generally so bitterly opposed the constitution of 1857 that its promulgation was followed by four years of almost constant civil war. Comonfort himself turned against the document and a vigorous revolution headed by Felix Zuloaga, in command of the "Army of Regeneration," seized the capital and prepared to establish a government along the old lines. The liberals, however, had found a real leader in the person of Benito Juárez. Taking up his headquarters at Vera Cruz he appealed to the Mexican people to vindicate the constitution. For the most part, the struggle which ensued was only a repetition of what the country had so often experienced before. Industries were paralyzed, crops ruined, brigands and guerrilla bands ravaged and laid waste on every hand.

A division occurring in Zuloaga's party, Miguel Miramón, one of the ablest generals opposed to Juárez, was appointed to the presidency by the conservative congress. To finance his campaigns and maintain himself in power, Miramón proceeded to float a foreign loan of 15,000,000 pesos which was afterwards to involve his country in no little difficulty. Meanwhile Juárez had secured recognition for his government from the United States and in 1859 issued one of the most drastic of anti-clerical decrees. This measure, known as the Laws of Reform, was aimed at the revolutionary and monarchistic activities of the clergy. It provided for the confiscation of all property held by the regulars and seculars, separated the church and state, dissolved the monastic orders, and made marriage purely a civil ceremony.

The renewed activity of the conservatives following this decree gave them increasing success for several months. Indeed it was not until August, 1860, that the Juaristas won a signal victory and turned the tide. This was followed in January by the capture of the capital and the return of the liberals to power. Juárez, who was now formally elected to the presidency, faced a serious task. The liberals were not united, the conservatives were anxious for a new opportunity to revolt, the nation's finances were in chaos, foreign creditors were pressing for a set-

tlement of claims, and the country was overrun with hordes of bandits and bands of guerrilla soldiers.

French Intervention: The hopeless condition of the treasury and the contention of Juárez that the bonds issued by Miramón were invalid led to a suspension of payments on the national debt. This in turn gave to certain interests outside of Mexico an opportunity of which they were eager to take advantage. Mexico's chief foreign obligations were due to citizens of France, Great Britain and Spain. The last two governments, believing the collection of the debt impossible, except through intervention, decided to join with France in employing force to obtain satisfaction. This agreement, signed October 31, 1861, was known as the Convention of London.

While England and Spain had no ulterior purposes to serve in the proposed intervention, the case of France was far otherwise. Louis Napoleon, anxious to regain prestige lost by his blunders in European politics, eager to stem the growing power of Anglo-Saxon democracy, and seeking to build up a great Catholic empire in the New World, looked upon the Convention of London as merely the first step in the establishment of French supremacy in Mexico. His ambitions were quickened, if indeed they were not created, by certain French capitalists, eager to obtain possession of the mines and other natural resources of the country; and most actively of all, by those monarchists and clericals who had fled from Mexico with the triumph of Juárez and the liberal party.

In keeping with the terms of the Convention of London, a French army, aided by British and Spanish naval forces, seized Vera Cruz. A demand was then made for the payment of the claims against Mexico and notice given that the allied force would take steps to secure guaranties for the satisfaction of the debt. On January 10, 1862, a proclamation was addressed to the Mexican people denying that the invading force had any intention of conquest or of interference in Mexican politics. This was met in turn by Juárez with a manifesto denouncing the allied nations and condemning as traitors any Mexicans who lent them their support.

At the same time, Juárez endeavored to negotiate with the invaders. By the convention of La Soledad the allied forces were allowed to march without opposition into the interior and occupy certain towns where danger from yellow fever was not so great as at Vera Cruz. Before long, however, the real purpose of France began to manifest itself. General Almonte, one of the conservatives who had been most active in the councils of Louis Napoleon, returned from France with the definite program of setting up an empire with Maximilian of Austria at its head. The French commander explicitly refused to treat any further with the Juárez government. Almonte and other monarchists

began a widespread propaganda to break down the loyalty of the president's troops and to cause a popular uprising against the republic.

With the French program thus revealed, Spain and England withdrew from the alliance and left Napoleon to his own devices. Open war then ensued between the French troops as they moved toward the capital and the Juárez forces. The latter, though delaying the enemy advance, notably by the defense of Puebla, which resulted in the famous Cinco de Mayo victory, could not prevent the final occupation of the City of Mexico. On June 10, 1863, Forey, the French commander, entered the capital and set up a puppet government. This, consisting of a Junta Superior de Gobierno of thirty-five citizens, an executive body of three members selected by the Junta, and an Assembly of Notables composed of the Junta and two hundred and fifteen additional members also chosen by the Junta, proceeded to establish an hereditary empire in the form of a limited monarchy, and invited the Archduke Maximilian, brother of the Emperor Joseph of Austria, to accept the throne.

When Maximilian with his wife, Carlotta, arrived in Mexico he found the imperialist forces in control of the central part of the country. A small force of republicans under Juárez were in Chihuahua; and in Oaxaca, Porfirio Diaz kept alive a considerable opposition to the monarchist program. The obstacles in the path of Maximilian, however, were not limited to the relatively slight organized resistance these irreconcilables could make. For one thing, the conservative party, which had brought him to power, could not long be counted upon to yield him unanimous support. So, as soon as Maximilian attempted to detach the more moderate liberals from the republican opposition and join them to his own cause, an unmistakable schism developed in the ranks of his reactionary followers. The taxes which he was compelled to lay to maintain his government also caused dissatisfaction; and finally such friction developed between the French military command and their Mexican allies as seriously to threaten the whole success of the movement.

Adverse factors outside of Mexico were also working for the new emperor's downfall. Louis Napoleon, finding the burden of the undertaking out of proportion to its glory, was growing less enthusiastic in his support. But the chief danger lay in the hostile attitude of the United States. Here the pressing demands of the Civil War for a time prevented the government from taking any active measures against the French program; but with the coming of peace, the Johnson administration assumed a much more belligerent attitude. General Sheridan was sent to the Rio Grande with 52,000 troops, and the American State Department gave Louis Napoleon to understand that further sup-

port of Maximilian would lead to war. At the same time, secret aid was extended to Juárez by the American government; while hundreds of American volunteers slipped across the border to join the republican forces.

Because of the demands of the United States, the French sovereign withdrew his soldiers from Mexico in February, 1867, leaving Maximilian dependent upon a very meager force of Belgians and Austrians, who were not in Louis Napoleon's service, and the unstable support of his conservative following. From this time on, the success of the republican cause was assured. The imperialist control was limited to the four cities of Vera Cruz, Puebla, Querétaro, and Mexico. Puebla surrendered to General Diaz on April 2. Querétaro, whither Maximilian himself had gone from the capital, was seized by the Juarist forces on May 14. Maximilian and his two chief Mexican commanders, Mejía and Miramón, were captured and executed by a firing squad, in keeping with the usual custom, on the 19th of June despite pleas of clemency from every quarter of the civilized world.

Thus ended the second Mexican experiment at monarchy, the dreams of Louis Napoleon, and the vain hopes of the royalists. This party, indeed, which had been a strong political factor since the days of independence, was so completely crushed by Maximilian's failure and the subsequent world-wide growth of democratic principles, that it never appears again in Mexican affairs. Yet the collapse of the monarchist faction and deliverance from French supremacy failed in any way to solve the nation's problems.

Renewed Confusion: The republican leaders after Maximilian's execution could not long work harmoniously among themselves, and soon revolutionary movements were flourishing with all their normal vigor. The re-election of Juárez to the presidency in 1867 was followed by a series of outbreaks in Yucatán, Guerrero, and half a dozen other centers; while the Yaqui and Apache raids along the northern frontier caused serious loss of life and almost a cessation of industry from Coahuila to Sonora.

The election of 1870 brought out three candidates for the presidency, namely, Benito Juárez, Porfirio Diaz, and Lerdo de Tejada. Less than 16,000 votes were cast in this election (so little voice did the mass of the people exercise in the government) and as none of the candidates received a majority vote, the choice of an executive was left with congress. Here a combination was formed to defeat Diaz and elect Juárez. As a result, the Diaz faction proclaimed a revolution; but this met with only fair success. In the summer of 1872, Juárez died very suddenly, leaving Diaz and Lerdo to dispute the presidency. The latter, by securing control of congress, won the first election, but this

triumph was only temporary. The government forces succeeded in putting down a serious uprising of the Indians in Nayarit (Tepic), which for a time menaced the cities of Guadalajara and Zacatecas. But in 1876, when Lerdo was once more returned to power through the usual election farce, Diaz took the field and set in motion a widespread revolt.

Beginning his campaign at Matamoros, Diaz was soon forced to cross the border into the United States. But sailing from New Orleans disguised as a Cuban doctor, after a series of hairbreadth escapes he succeeded in landing at Vera Cruz and eventually reached his native state of Oaxaca. Two other influential leaders now joined the movement against Lerdo. These were Iglesias, chief justice of the supreme court, and González. As a result of this combination, Lerdo's forces were defeated, and he and his cabinet, with as much of the national funds as they could carry, fled by way of Acapulco to New York.

The flight of Lerdo left Diaz a rival claimant to the presidency in the person of Iglesias; but the latter was no match for his opponent and soon abandoned the contest, finding a voluntary exile in San Francisco. In the ensuing election Diaz consequently won an overwhelming victory. Out of 10,878 votes cast, 10,500 were in his favor.

As he had repeatedly pledged himself not to stand for reelection when his term expired, Diaz refused to appear as a candidate for the presidency in 1880. He was careful, however, to see that the election went to General González, a man of his own choosing.

The four years of González' administration were characterized by raids upon the public treasury, an increase of the national debt, the levying of heavier taxes, and a general collapse of public morality. Consequently when the election of 1884 approached, González was out of public favor and Diaz, whose control of the army assured him control of the election, received 15,969 out of the 16,462 votes cast. From this time on for twenty-six years he ruled as a dictator under the guise of a constitutional president.

VII. THE DIAZ REGIME

Complex Problems: The reign of Diaz, except for the four-year term of González, lasted from 1876 to 1910. At the beginning of this period, the fortunes of Mexico were at their lowest ebb. The country was bankrupt and discredited with foreign nations. Interest on the public debt had so long remained unpaid as to reduce national credit to a minimum. Banditry and crime abounded everywhere. The revolutionary instinct, never dormant for any length of time since the beginning of the century, awaited the first favorable opportunity to plunge the land again into civil war. The northern border was almost a waste because

of Indian forays. Mining and agriculture, virtually the sole industries of the people, were completely demoralized. A few hundred miles of railway represented the only modern transportation facilities of the country. The rest consisted of mountain trails and roads well-nigh impassable for wheeled vehicles. Such conditions not only prevented any real economic advance, but also encouraged revolution and brigandage, and made the development of national unity impossible. Nor had there been in a social or educational way any perceptible improvement of the great bulk of the Mexican people since independence. The gulf between wealth and culture and the ignorant masses had not been bridged. Peonage was as widespread as it had been under the colonial system. Self-government did not exist.

Diaz would have been something more than human if he had solved all of these complex problems. Some of them he made no attempt to deal with, at least directly, but concentrated his remarkable energies and talents chiefly upon three. He established law and order to a degree that Mexico had never known before, and smothered revolution for thirty years. He raised his government from a position of disrepute to one of universal respect among the nations. He placed public credit on an enviable plane and brought about a marvelous development of the land's resources. Along these lines few nations have ever made such rapid progress in a single generation as Mexico made under President Diaz.

The establishment of order and the maintenance of peace were effected in three ways. First, by keeping firm control of the army, starting point of nearly all revolutionary movements, and by preventing the church from becoming active in politics; second, by the complete centralization of government; and third by the organization of an effective mounted police. Every office, federal, state and local, was filled by a partisan of the administration. Elections became more than ever a farce. State governors and legislatures merely reflected the will of the president. Local politics were entirely controlled by *jefes politicos*, or district administrators, who were responsible to the state governors and under whose watchful eyes only those candidates and those measures acceptable to the administration ever received a majority vote. Congress, and even the courts, similarly took their cues from the executive in matters where for any reason he chose to interfere.

This complete supremacy in government, extending over so long a period, was maintained partly by the threat of force; partly by making loyalty in office very well worth while through various forms of material rewards; and partly by the personality of Diaz himself—the strongest ruler Mexico has ever had, with the possible exception of Cortés, and in some respects the most remarkable man of his generation the continent produced.

Closely allied with this centralized control of government was the third factor in the Diaz program of maintaining order—the organization of an efficient mounted police, commonly known as the rurales. Independent of local control, scattered broadcast throughout the country, this force constituted one of the most effective agencies possible in discouraging banditry and checking incipient revolution. Many of its members were ex-brigands who had found it more advantageous to join the organization under an executive pardon than to face a firing squad. They were not of a type to be over scrupulous in their regard for the forms of law and carried out whatever orders were given them without compunction. More than one prisoner, whose public trial might have proved embarrassing to the president or some other influential official, met an unfortunate end. Almost invariably such persons were shot by the rurales while “trying to escape.”

The successful establishment of order did much to win the good will of foreign nations, but Diaz did not stop with this. By refunding the national debt and meeting the interest payments he reestablished Mexican credit in Europe. Serious difficulties with the United States over private claims for damages (which had been allowed by a joint commission) and constant border forays were adjusted by prompt payment of the awards and the negotiation of a treaty providing for the mutual crossing of the border by Mexican or American forces in pursuit of hostile Indians or marauders. A dispute over the boundary line with Guatemala was also settled by peaceful means.

Economic Progress: The third task undertaken by Diaz, namely the economic development of Mexico, could only be accomplished through the aid of foreign capital and of foreign initiative. Realizing this, in addition to making property and life secure from banditry and revolution, Diaz enacted liberal laws for the encouragement of foreign investments in Mexico, stimulated the development of new industries by a reduction of taxes and the grant of special privileges, and offered attractive concessions to induce the construction of railroads.

The effect of this policy was all that Diaz could have asked for. Foreigners and foreign capital began to pour into Mexico in an ever-increasing stream. The transportation difficulty, one of the most acute the nation faced from many standpoints, was in large measure solved by the construction of 10,000 miles of railways. The mining industry, thanks to foreign capital, foreign initiative, better organization and more scientific methods introduced by foreign engineers, experienced a phenomenal revival. The production of silver increased from about 21,000,000 ounces in 1880 to over 74,000,000 ounces in 1910. The output of gold rose from 44,000 ounces to over 1,000,000 in the

same period. Copper production in 1890 was estimated at 4000 tons. In 1910 it was around 50,000. The production of lead rose in the same period from about 21,000 tons to 133,000. To a less degree agriculture and manufacturing felt the same stimulus; and in 1903 a new and incalculably valuable source of wealth was added to the nation's resources by the development of the petroleum industry. Foreign commerce also underwent an astonishing expansion, and the national revenue increased from some 16,000,000 pesos annually to over 100,000,000.

American, British, French and German capital was chiefly represented in the economic regeneration of Mexico under Diaz. But because of the proximity of the United States, which found a natural outlet across the border for its surplus capital as well as for the surplus energies of its people, American investments and holdings in Mexico greatly surpassed those of all other foreign nations combined. It was accordingly in later years one of the settled policies of the Diaz government to favor European investments, where this could be done without too great suspicion of partiality, in order to check the growing influence of American citizens in Mexican affairs. This attitude, on a much more pronounced scale, Carranza adopted during the whole of his administration.

Elements of Weakness: The material prosperity of Mexico under Diaz was not unaccompanied by certain evils. Though progress was made in education, it was not commensurate with the needs of the people. Wages showed a considerable increase, thanks to greater demand for labor and the example of foreign companies, but the condition of the average peon, except in favored localities, left much to be desired. Among the growing middle class, there was also a spirit of resentment against the large landowners (a feeling that was shared by the Indians in many sections) and also against the policy of granting valuable concessions to foreigners.

A political faction, known as the Científicos, had also grown up around the president. Many of these men, some of whom were in the cabinet or served as state governors, found it possible by their political position to acquire enviable fortunes, not so much through the ordinary forms of graft, as by the award of favorable government concessions, by forming companies to monopolize public or semi-public works, by acquiring land and other natural resources in ways not always above suspicion, by controlling the tax levies and assessments so as to avoid heavy contributions to the public treasury, and even by bringing pressure to bear upon the courts. This group—conservative, proclerical, and able as its members were—came to embody in the popular mind the most obnoxious features of the Diaz régime.

They represented special privileges, class rule, and the subverting of government to private ends.

Among the supporters of Diaz, however, there were rival factions which in all probability would have resorted to the old method of settling the question of supremacy by revolution had the president been a weaker man. One of the outstanding figures was José Yves Limantour, probably the most capable financier Mexico has yet produced. Ramón Corral, a representative of the self-willed Sonora faction, also occupied a dominant position. Elected vice-president in 1904 and again in 1910, Corral was the logical successor to the presidency had the old régime continued. But he was exceedingly unpopular with the army, and not much liked by the people as a whole. Another faction, consisting of the so-called intellectual liberals, who were ostensibly opposed to the Científicos, was led by General Reyes, at one time Minister of War in the president's cabinet.

The rivalry between these various groups was but one of the disintegrating factors in the closing years of the Diaz administration. The revelation of certain glaring abuses practiced against the laborers in some of the tropical states, especially upon the rubber plantations of Chiapas, the henequen plantations of Yucatán, and in the Valley of Mexico, as well as against the Yaqui Indians of Sonora, led to widespread loss of popularity on the part of the Diaz government with the American public. These evils were not typical of general labor conditions. But the common practice of peonage and the lack of any real freedom in government furnished the needed background against which to paint the more extreme abuses in a way to damn the whole existing order. Criticism by American writers quickly found its way across the border and furnished effective ammunition for those who were agitating a change in government. Certain foreign interests in Mexico, whose rivals had profited by the influence of Científico officeholders, had also become less enthusiastic over the Diaz system, and were not at all averse to his withdrawal from public life.

Thus, even before 1910, there were evidences of unrest throughout the country. The Reyes liberals for a time threatened to begin an active movement against the president's reelection, but the party found itself without a leader when Reyes accepted a post in Europe to which he had been appointed to keep him out of mischief. About the same time a serious riot in the important copper camp of Cananea in Sonora promised under radical leadership to assume the character of a political revolution. Criticism—some of it intelligent and well-founded, much of it of the vaguest and most radical nature—began to be directed against the whole political, social, and economic system that Diaz had established. The government was said to be unrepresentative, full of dishonest officials, and under the control of a

designing aristocracy. The evils of the labor system were vigorously assailed; and the large land holdings, some of which covered millions of acres, were pointed to as the source of innumerable ills to the common people. Finally, the government was accused of having bartered away the natural resources of the nation—its lands, forests, mines, water, and oil fields—to foreign companies and thus robbed the people of their legitimate heritage.

The Collapse: Had such disaffection arisen twenty years before, Diaz would either have checked its headway by force or remedied the abuses leading to it. But he was now eighty-two years of age and lacked the courage either to crush out opposition or alienate his supporters by radical reforms. The material prosperity he had brought to the nation, the place he had won for it in international respect, the generation of peace and order he had given to it, were not sufficient to prevent a recrudescence of most of the old-time evils as soon as his own strength wavered at the task. This, of course, he should have foreseen, and perhaps did foresee, but was not able to prevent. Certainly the critical weakness of his dictatorship lay in its failure to fit the people themselves in some measure for the task of self-government and to trust the permanency of his reforms to their hands. If this could not be done, because of the character of the material with which he had to work, then the collapse of the structure was certain.

The election of 1910 marked the beginning of the inevitable revolution. The selection of Ramón Corral for the vice-presidency, which meant of course that he had been picked by Diaz for his successor, caused much unfavorable comment; but there was no formal opposition to the administration's program until Francisco Madero, an obscure member of a wealthy family with large agricultural and mining properties in Coahuila and Nuevo León, audaciously presented himself as a rival candidate for the presidency. The immediate result was easily foreseen. The election went with the usual overwhelming majority for Diaz, and Madero found himself lodged in jail at San Luis Potosí with more than an even chance of being shot.

After four months of imprisonment, however, Madero succeeded in making his way across the border into Texas, where he began the organization of a formal revolution. Within a surprisingly short time the movement attained serious proportions. Orozco, Pancho Villa, and Abraham González, the governor of Chihuahua, joined the Madero cause. Before long the whole American border, where the common people were generally more advanced than in the interior, flared up in revolution. As garrisons were withdrawn from posts in the south to quell the northern outbreak, uprisings occurred in the districts where the gov-

ernment interests were thus left unprotected. The age of Diaz incapacitated him for vigorous action. His cabinet, especially after Limantour's return from Europe in March, 1911, preferred a compromise to the continuation of a war which would certainly destroy much property and might lead to American intervention. Finally, the corruption of government which Diaz had allowed to grow up in his latter years had affected the army. Discipline was weakened; and the soldiers were supplied with inadequate equipment and inferior ammunition, to the great profit of men high in military and civil office.

Yet even under these conditions the rapid triumph of the revolution was astonishing. Certainly no one dreamed that the Diaz government, apparently so powerful and secure when Mexico held her centennial celebration in 1910, would fall like a house of cards before the succeeding summer. Orozco's capture of the city of Juárez on May 10, 1911, definitely sealed the fate of the generation-old régime. Twelve days later a convention was agreed to between the government and the successful revolutionists. Diaz and Corral resigned; de la Barra, one of the more popular members of the cabinet, became provisional president, and plans were laid for holding a new election. On May 25, Porfirio Diaz left the country—to die four years later in exile and, as many say, in poverty.

VIII. A DECADE OF REVOLUTION

The Ill-Fated Madero: On October 2, 1911, Madero succeeded to the presidency. He is best described as an altruist, with certain marked limitations even in his ideals, and as a reformer without previous experience in politics or knowledge of practical affairs. His revolution found its rallying cry in three expressions: "Effectual suffrage; no reelection; redistribution of land." The formal program was thus social as well as political. But the movement, like so many of its kind, had such a heterogeneous following that its very triumph was the signal for the beginning of disintegration. In its ranks, especially after success seemed assured, were to be found intellectual liberals keenly alive to the country's needs; men of reactionary principles seeking to serve personal ends by joining the victors; adventurers and politicians anxious for office; lawless men of every sort, who saw in the turmoil and confusion of civil war an opportunity for loot and plunder such as their fathers had enjoyed before the days of Diaz. Finally, there was a great host of peons and Indians fighting for vague ideas of liberty and social justice, whatever that might mean, or out of the instinctive delight in revolution so deep bred in certain classes of Mexican people.

Madero's task, therefore, was only begun with the triumph of the revolution. Yet the peace and order which flourished un-

der Diaz seemed so deep-rooted that for a time there was a general belief in the continuance of the former tranquility during Madero's presidency. Those who cherished this hope, however, were due for a rude awakening. The congressional elections held in October, 1912, developed a rivalry between the Constitutional Progressive party, led by Gustavo Madero, the president's brother, and the National Catholic party. Gustavo Madero was accused, probably correctly, with having manipulated the election returns in true Porfirista style. Moreover, the personality and acts of the president himself became increasingly the subject of popular criticism. Madero's failure to use stern measures to check the growth of counter-revolutions alienated many of his strongest supporters. The appointment of various members of his own family to office exposed him to charges of nepotism. His refusal to attempt the extreme social changes demanded by his more radical supporters cost him favor in that quarter. Finally, the common people, failing to realize their ideal of "forty acres and a mule," lost interest in his cause; and the lawless element, which had so recently gotten a taste of revolution, showed little inclination to settle down again to a routine life of peace and hard work.

All through the year 1912 there were serious outbreaks against the administration. The Indians of Morelos, led by Zapata, held the state against such federal troops as were sent to subdue them, demanding as the price of submission a redistribution of the great landed estates. A somewhat similar outbreak against the henequen growers occurred in Yucatán. In Chihuahua, Orozco and many other former Maderistas, renounced allegiance to their former chief and with Vásquez Gómez as provisional president, soon had the whole state under their control. Though the backbone of this revolt was broken by federal forces under General Huerta, danger immediately appeared in a new quarter.

Felix Diaz, nephew of Porfirio and self-chosen leader of the reactionists, had succeeded in occupying Vera Cruz, only to be captured by government troops sent from the capital. Having been released after a short imprisonment, he organized a new conspiracy with the help of General Reyes, and on February 8, 1913, seized the national palace. For ten days (the *decena tragica*) street fighting continued in the capital, with General Huerta, the leader of the Madero forces, quietly watching his opportunity. A compromise with Diaz having been arranged, Huerta threw overboard his professions of loyalty to Madero and seized the president, his brother, Gustavo, and the vice-president, Pino Suárez. Gustavo Madero was immediately executed, while Francisco Madero and Suárez were shot by their guards five days later as they were being moved from one prison to another.

Huerta's Brief Supremacy: The murder of Madero—for it was nothing less, in spite of Huerta's protests to the contrary—left the latter temporarily supreme. Large property holders, who hoped for a return of the strong policies of Diaz, were generally content to accept the dictator without much concern as to his method of obtaining office. Foreign companies were divided in their support; but most of them, particularly those backed by Lord Cowdray, the great English financier, actively aided the new administration. European countries generally recognized the Huerta government with alacrity; but in two quarters vigorous opposition soon developed.

In the northern states a revolution began with the proclamation of the Plan of Guadalupe, following the execution of Abraham González under Huerta's orders. The movers in this outbreak were Venustiano Carranza, governor of Coahuila, and governor Maytorena of Sonora. The latter soon fled to the United States, but under the leadership of Alvarado, Benjamín Hill and Alvaro Obregón, Sonora became more than ever a revolutionary center. In the south, Zapata's followers also refused to lay down their arms; while in Durango and Chihuahua, Pancho Villa added his effective but disreputable strength to the revolution.

Even more serious from Huerta's standpoint was the openly expressed hostility of the American government to his administration. In July, Henry Lane Wilson, the American ambassador, who had consistently favored the Huerta régime, was recalled to Washington and ex-Governor John Lind of Minnesota came to Mexico as President Wilson's personal representative. Lind brought certain demands from the American administration. These included a cessation of hostilities in Mexico, a proclamation of general amnesty, a free election for the presidency, and the elimination of Huerta from the field of politics. Huerta's rejection of these demands was followed by a warning, from the American State Department, similar to one President Taft had issued some years before, for American citizens to leave Mexico.

Relations between the two countries for a time then remained on the "watchful waiting" basis described by President Wilson in his message to congress of December 2. Huerta's arrest of one hundred and ten members of the Mexican congress soon gave additional strength to Wilson's determination to refuse recognition to his government. In February, the Washington authorities permitted the shipment of arms across the border for the benefit of the revolutionists. In April the arrest of a party of American marines, who had landed at Tampico for a supply of gasoline, brought from Admiral Mayo a demand for formal apology and a salute to the American flag. This demand, first made without President Wilson's knowledge, was supported by the American government; and when Huerta refused to comply,

Wilson secured the consent of congress for the use of force in dealing with the issue.

On April 21, Vera Cruz was occupied after severe street fighting by an American force to prevent the landing of a large cargo of arms and ammunition from a German vessel. It was generally expected that this incident would lead to war. But a more peaceful solution of the difficulties offered itself in the proposed mediation of the three South American countries, Argentina, Brazil and Chile. The A. B. C. Conference, as it was called, met at Niagara Falls and drafted a compromise affecting the immediate issues between the two governments. In offering any permanent settlement of the Mexican question, however, the conference sadly failed.

By this time, between the opposition of the United States and the growing power of the revolutionists, Huerta's cause was hopeless. Accordingly, he resigned office on July 15 and left the country. Two years later, while in the United States attempting to foment a revolution against Carranza, he was arrested near the border by American officers and placed in confinement. His death occurred the same year.

An Unhappy Country: The withdrawal of Huerta merely intensified the confusion and disorder that had again become chronic throughout the country. The success of the Constitutionalists, as the revolutionists styled themselves, was immediately followed by an irreconcilable schism among the leaders. Carranza, backed by Obregón and Pablo González, was opposed by a combination composed of Villa, Maytorena, Blanco and Philipe Angeles. To adjust their differences, the rival factions met in a national convention at Aguascalientes; but the attempted settlement only led to increased bitterness. The anti-Carranza party, now known as the Conventionalists, for a time thereafter secured the ascendancy, occupied the capital, and declared Eulalio Gutierrez provisional president. Carranza withdrew to Vera Cruz, which thus for a time became his capital.

To trace the devious military history of Mexico for the next two years would prove a tedious task. Zapata and Villa soon lost control of the capital and became merely guerrilla fighters on a large scale. The former operated chiefly in Morelos, while the latter ranged over a large portion of Chihuahua, Durango, and parts of Nuevo León. In other sections of the country similar bands of bandit-revolutionists defied the Carranza authorities. One of the best known of these was Manuel Pelaez, whose control of the Tampico oil fields furnished a serious international problem and remained unbroken until the Carranza overthrow.

Meanwhile the condition of the country, especially from 1914 to 1916, was indescribably bad. Between the out-and-out bandits, the so-called revolutionists, and the Carranza forces, there

was probably enacted the greatest destruction of property that Mexico has ever known. The railroads almost ceased to function. The ranges were denuded of cattle. Agriculture in many sections was entirely abandoned. Mines and smelters in all parts of the republic closed down or were operated only at irregular intervals. The currency system was completely demoralized and the banks wiped out of existence. Loss and ruin on every hand testified to the near approach of anarchy.

Greatly as the wealthier classes suffered, however, their losses were much smaller, relatively, than those of the laboring population. With the stagnation of industry, thousands of men who had no means of subsistence beyond their daily wage, were thrown out of employment. Food became dearer because of the destruction of crops and the scarcity of cattle. A severe drought added to the general misery, while widespread epidemics caused fearful mortality among the weakened and half-starved population. Nor was this condition greatly improved by Carranza's refusal to permit the American Red Cross to extend its aid to the stricken districts. The savage character of the fighting, with the wholesale executions following every victory by whatever party, the unspeakable atrocities committed by Villa and Zapata, and the incomprehensible massacre of inoffensive victims, intensified still further the wretchedness of the unhappy people.

Carranza: While the country was passing through this period of travail, recognition was extended to the Carranza government by the United States on October 19, 1915, and by the European powers before the close of the year. The new administration from the outset had declared itself legitimate successor to the Madero revolution, and its announced program of reform included many radical social and political changes. Among these was the suppression of the Catholic church, the return of the common or pueblo lands and a redistribution of large landed estates, the restriction of foreign holdings, favorable labor legislation, and the establishment of a genuine representative government.

To make these effective, a constitutional convention was held at Querétaro in November, 1916, at which, it is needless to say, only delegates acceptable to the government were present. The text of the new constitution, signed January 31, 1917, is given elsewhere in this volume. It was radically anti-clerical, anti-foreign, anti-monopolistic, and pro-labor. The promulgation of this document, however, did not solve the government's problems. Briefly put, these included the suppression of chronic banditry and revolution, the settlement of serious difficulties with the United States, the rehabilitation of the nation's finances and industries, and the maintenance of Carranza's position of leadership among his own followers.

Complications with the United States were of many kinds. The murder of American citizens and the destruction of American owned property continually increased the tension between the two governments. These acts of lawlessness, which the Mexican officials claimed were not preventable in the disturbed state of the country, were accompanied by deliberate measures of confiscation on the part of a number of the states and of the federal government. Several of the provisions of the Querétaro constitution, after that document had been promulgated, were also protested by the American State Department, as were also a number of Carranza's tax levies and presidential decrees. One of the most serious sources of complaint was the attempt to "nationalize" the oil industry—a retroactive measure which foreign oil companies justly and bitterly opposed.

But even before this petroleum controversy reached its height, a crisis of another kind brought the two countries to the verge of war. Villa, angered by the recognition of Carranza and especially because permission was granted for federalist troops to pass through American territory for an attack upon his position, on March 9, 1916, led a foray across the border and attacked the town of Columbus, New Mexico, causing the death of some twenty persons, about half of whom were United States soldiers. Only a few months before this raid one of his bands had held up a train near the town of Santa Isabel in Southern Chihuahua and killed all but one of a party of nineteen American mining men who were on their way to reopen a large mining property at Carranza's request. Public indignation, which the Santa Isabel massacre called forth, had not subsided before the Columbus raid gave it renewed vigor.

As a result of these outrages President Wilson ordered the mobilization of an American force and sent General Pershing across the border into Chihuahua with 12,000 men to capture Villa. The latter fled to the mountains and could not be taken. Moreover, as Pershing advanced further and further into Mexico, the Carranza troops stationed in the territory began to impede his progress. Finally, on June 22, a detachment of American cavalry was fired upon as it approached the town of Carrizal. At least twenty of its number were killed and seventeen taken prisoners.

President Wilson thereupon issued an ultimatum to Carranza, demanding a disavowal of the act and the release of the American prisoners. The latter were accordingly set at liberty and it was agreed that a joint commission should be appointed to settle so far as possible the points at issue. Whether or not this was merely a temporizing expedient hit upon by Carranza, as many assert, its work was sadly disappointing. Pershing's force was withdrawn from Mexico, but friction between the two governments was not permanently allayed.

Undoubtedly one of the reasons for the failure of the United States to press the various issues more vigorously was the menace of the European war, and the realization that sooner or later America must become involved in it. When finally this occurred, Carranza's ill-concealed sympathy for the German cause led to increased coolness on the part of President Wilson for a government whose very existence was dependent upon American favor, and whose actions he had previously condoned, even when such a policy exposed him to vigorous criticism from many quarters.

Critical Issues: Domestic difficulties were also thickening around Carranza's head. After the constitutional convention an election was held in which he, as a matter of course, was chosen to the presidency, thus ending the necessity of styling himself, as he had done up to that time, First Chief of the Constitutional Army. The demands created by the war in Europe led to a great revival of Mexican industries in those regions where comparative peace prevailed, and because of this prosperity, Carranza was able in some measure to provide for his pressing financial needs. Taxes and duties were increased and multiplied, so that the public revenue showed a marked increase over anything Mexico had ever known before. The failure to meet interest payments on the national debt also aided the treasury to make a favorable showing.

But Carranza had need of all the funds he could lay hands on. The army, or rather the military chiefs, though unable to restore order, demanded and received most of the government revenue. Carranza's refusal to meet their requests would have led to defection and additional revolutions. The banking system and the currency were so demoralized that no sound financial basis could be reached until their complete reorganization.

Most of the state governments, professedly loyal to the executive, were following their own choice in matters of any moment. In Yucatán, Governor Alvarado had set up an extremely socialistic administration which to all intents and purposes was independent of federal control. In lower California, Governor Cantu collected the revenues, granted concessions, and raised or lowered export duties without thinking it worth while to obtain consent of the central government. Plutarco Calles and de la Huerta in Sonora were nominally somewhat more inclined to submit to federal oversight; but Carranza seldom ventured to impose upon them anything which they opposed. Similar conditions prevailed in almost every other state which made a pretext of supporting the executive.

Nor can it be said that the Carranza government ever attained a hold upon the Mexican people. His promised reforms were not forthcoming. Graft in its most obnoxious forms flourished among federal officials, from the highest to the lowest. Elections

were no more free than under Diaz. Life and property were insecure. The overthrow of the Científicos had been succeeded by the formation of a new class of overlords, high in political and military office, who were becoming rich by devious ways and at whose hands the common people fared no better than before. As though these grounds of unpopularity were not sufficient, Carranza's own personality failed to inspire any loyalty or enthusiasm in the popular imagination.

So, in spite of the administration's organs to the contrary, the government was never very secure in its position, and with the beginning of 1919 unmistakable signs pointed to its overthrow. Several of Carranza's most faithful supporters in his contest with Huerta and afterwards against the Villa-Zapata faction, began to show open opposition. Governor Alvarado of Yucatán acquired a newspaper in the capital in which Carranza was lampooned and criticised severely. But the most dangerous combination developed in Sonora. Here Alvaro Obregón, a one-armed hero of the revolution whose support had made possible Carranza's success, was the recognized leader of an ambitious, active following known as the Sonora group. This included General Plutarco Eliás Calles, former military governor of the state and later a member of the federal cabinet; Adolfo de la Huerta, civil governor of Sonora; and General Benjamín Hill, a revolutionary officer of much distinction.

More than a year before the time set for the presidential election, numerous aspirants began to lay plans for the coming campaign. Carranza, though not a formal candidate himself, was determined to choose his own successor. For a time, his favor seemed to rest on Pablo González, a general of ability and good reputation who enjoyed a certain popularity with the common people. Carranza's actual choice, however, as it afterwards proved, was Ignacio Bonillas, a diplomat and politician of some shrewdness, who was then ambassador to the United States. His candidacy was especially urged on the ground that he was a non-military man who would deliver the country from the curse of army domination. But the candidate most likely to succeed, unless Carranza could manipulate the election, was General Obregón.

The End: At the beginning of 1920 it was perfectly obvious that Carranza had no intention of permitting the election to take its natural course. On various pretexts obstreperous members of congress, as well as influential supporters of Bonillas' rivals on the outside, were arrested by the president's orders. This led Obregón to threaten a revolution in case Carranza prevented a fair election. The climax came when federal troops were sent to invade Sonora and displace de la Huerta by a new governor named Soriano. About the same time Carranza moved to seize

the chief railway line on the west coast, the Southern Pacific of Mexico, because of a threatened strike of the employees.

In both instances, the president was forestalled by the Sonora officials. The only feasible gateway to the state was occupied by local troops, making a federal invasion impossible except by bringing soldiers through American territory. The permission required for this could not be secured from Washington, where Carranza's conduct had finally exhausted the patience of an over-patient man.

At the time the governor of Sonora prepared to resist the entrance of Carranza's troops, he also seized the railway, took over the customs house and other government buildings at Agua Prieta on the Arizona border, and secured the consent of the legislature to proclaim the "Republic of Sonora." Independence, however, was to be maintained only so long as the rights of the state were endangered by the federal government.

From this beginning in Sonora, the revolution spread down the west coast with a speed equal to the success of Madero's movement against Diaz. Obregón, escaping in disguise from Mexico City where he was under nominal arrest, organized the movement in the southwest. Chihuahua, never Carranzista except in name, joined the Sonora leaders. In the oil fields Pelaez, as well as many of Carranza's former officers, espoused the new cause with enthusiasm, thus shutting off the export taxes on oil, one of the chief sources of the government's revenue. Pablo González and Obregón also effected a temporary alliance. From the outlying states the movement spread until little more than the capital remained under Carranza's control.

The Liberal Constitutional party, as the revolutionists were now called, at this juncture formally demanded Carranza's resignation and published the Plan of Agua Prieta. Under the terms of this declaration, de la Huerta was created temporary commander of the revolution until the states accepting the movement could elect his successor. When the Plan had been adopted by the army, a provisional president was to be elected. Foreigners were promised protection in their persons, property and legal rights. Assurance was given that the economic development of the country would constitute one of the chief objects of the new régime. Lastly, the emphasis upon representative government was embodied in the phrase, "Effectual suffrage, no reelection."

By May the revolution had grown so strong that Carranza's overthrow was only a matter of a few days. As it was impossible to remain longer in Mexico City, the government prepared to move to Vera Cruz, where a temporary capital was to be established, or, failing this, where refuge might be found on board some foreign vessel. The flight began in twenty-one trains packed with troops, treasure, equipment and officials. But Car-

ranza was destined never to reach the desired haven. González had already cut the railroad between Mexico and Vera Cruz, and other revolutionary bands attacked the convoy. Poor management and confusion delayed the expedition at every stage; supposedly loyal garrisons at critical points along the route went over to Obregón.

When it became impossible to travel longer by train, Carranza with a few of his closest followers sought to escape to the Puebla Mountains, but fate had other plans. One night as he slept in a miserable mountain hut, the fleeing president was betrayed and killed. The assassination was hurtful to Obregón's cause and certainly contrary to his repeated orders. It may be safely said that he had no hand in it.

The New Régime: The country, tired beyond description of ten years of revolution and conditions closely bordering upon anarchy, turned with relief to the new administration. De la Huerta served as provisional president from June 1 to November 30. On December 1, Obregón assumed the reins of office. The character and past performances of the new executive did much to recommend him to the outside world, as well as to his own people. He was generally acclaimed the hope of Mexico, and his early public utterances seemed to assure an earnest attempt, at any rate, to solve the domestic problems of his country in a rational spirit, and to compose its many difficulties with other nations.

So far, however, the path of Obregón has not been free from obstacles. The Mexican people, with their lack of education and political training, were not remade by the revolution. Widespread depression, following the stimulus given by the war to Mexican industries, has brought hard times and made the problem of government finance more difficult. National credit has not yet been reestablished in foreign markets; the railroads have not been restored to normal efficiency; the effects of revolution have not been effaced from many aspects of Mexican life. Widespread corruption in public office, so long the accepted feature of Mexican politics, cannot easily be overcome. Promised reforms will be difficult of execution. The combination which placed Obregón in power has already shown signs of disintegration; and it will require both tact and firmness to hold even his own cabinet in line. The provisions of the Querétaro constitution, to which foreign governments objected when the document was framed, still nominally remain in force, and over these and the question of proper safeguards for American property and citizens in Mexico, the United States and Obregón cannot agree. Following the lead of Wilson's administration, President Harding has refused to accord Obregón recognition until these matters are satisfactorily adjusted. The latter, either on grounds

of principle, or because he fears such concessions to the United States would weaken his hold on the Mexican people, has so far refused to comply with the Washington demands. Yet no administration across the border can expect to acquire permanent stability without the formal recognition and moral support of the American government.

It is undoubtedly true that Obregón today commands more confidence than any Mexican leader since 1911. This feeling, however, is not one of unmixed optimism. More than a century and a quarter ago a great English statesman voiced a truth which today represents the attitude of thoughtful men toward the existing government in Mexico and the decade of revolution from which it springs.

"I should, therefore, suspend my congratulations on the new liberty of France," wrote Edmund Burke in 1790, "until I was informed how it had been combined with government, with public force, with the discipline and obedience of armies, with the collection of an effective and well distributed revenue, with morality and religion, with solidity and property, with peace and order, with civil and social manners. All these things (in their way) are good things, too; and without them, liberty is not a benefit while it lasts, and is not likely to continue long."

If Obregón's administration can meet these tests, no man since the dawn of Mexican history will have deserved greater honor at the hands of his countrymen. If his government fails in these particulars, it will assuredly not prove "a benefit while it lasts, and is not likely to continue long."

AUTHORITIES

In addition to the general histories of Mexico, both in English and Spanish, the following works will be found especially valuable to American readers for material relating to particular subjects:

Bolton and Marshall, *Colonization of North America* (Expansion of New Spain).

Bourne, *Spain in America* (Colonial Institutions and Policy).

Chapman, *A History of California: the Spanish Period* (Contains much relating to the general colonial history of Mexico).

Humboldt, *Political Essay on the Kingdom of New Spain* (Indispensable for the period prior to Independence).

Prescott, *The Conquest of Mexico* (Not altogether reliable, but widely read and extremely fascinating).

Priestley, José Gálvez (*Reforms and Institutions under Charles III*).

Ibid., *The Carranza Debâcle* (The best account of the Obregón revolution yet published).

Rives, *The United States and Mexico, 1821-1848* (An authoritative and readable account of international relations).

Trowbridge, *Mexico Today and Tomorrow* (The best of recent short narrative histories).

Ward, *History of Mexico* (Excellent for conditions immediately following Independence).

VICEROYS OF NEW SPAIN

1. D. Antonio de Mendoza.....1535 to 1550
2. D. Luis D. Velasco.....1550 to 1564
3. D. Gastón de Peralta.....1566 to 1568
4. D. M. Enriquez de Almanza.....1568 to 1580

5.	Conde de la Coruña.....	1580 to 1583
6.	D. Pedro Moya de Contreras.....	1584 to 1585
7.	Marqués de Villa Manrique.....	1585 to 1590
8.	D. Luis de Velasco, the Younger.....	1590 to 1595
9.	Conde de Monterey.....	1595 to 1603
10.	Marqués de Montes Claros.....	1603 to 1607
11.	D. Luis de Velasco, the Younger (second term).....	1607 to 1611
12.	Dn. Fray Garcia Guerra.....	1611 to 1612
13.	Marqués Guadalcazar.....	1612 to 1621
14.	Marqués de Gálvez.....	1621 to 1624
15.	Marqués de Cerralvo.....	1624 to 1635
16.	Marqués de Cadereyta.....	1635 to 1640
17.	Duque de Escalona.....	1640 to 1642
18.	D. Juan de Palafox y Mendoza.....	1642
19.	Conde de Salvatierra.....	1642 to 1648
20.	Marcos Torres y Rueda.....	1648 to 1649
21.	Conde de Alva de Liste.....	1650 to 1653
22.	Duque de Albuquerque.....	1653 to 1660
23.	Marqués de Leiva.....	1660 to 1664
24.	D. D. Osorio de Escobar y Llamas.....	1664
25.	Marqués de Mancera.....	1664 to 1673
26.	Duque de Veraguas.....	1673
27.	D. Fr. Payo de Rivera.....	1673 to 1680
28.	Marqués de la Laguna.....	1680 to 1686
29.	Conde de Monclova.....	1686 to 1688
30.	Conde de Galve.....	1688 to 1696
31.	Juan Ortega y Montañez.....	1696
32.	Conde de Montezuma y Tula.....	1696 to 1701
33.	Juan Ortega y Montañez (second term).....	1701 to 1702
34.	Duque de Albuquerque (second term).....	1702 to 1711
35.	Duque de Linares.....	1711 to 1716
36.	Marqués de Valero.....	1716 to 1722
37.	Marqués de Casa Fuerte.....	1722 to 1734
38.	D. J. Antonio de Vizarrón.....	1734 to 1740
39.	Duque de la Conquista.....	1740 to 1741
40.	Conde de Fuenclara.....	1742 to 1746
41.	Conde Revillagigedo, the Elder.....	1746 to 1755
42.	Marqués de las Amarillas.....	1755 to 1760
43.	D. Francisco Cagigal.....	1760
44.	Marqués de Cruillas.....	1760 to 1766
45.	Marqués de Croix.....	1766 to 1771
46.	D. Antonio M. Bucareli.....	1771 to 1779
47.	D. Martin de Mayorga.....	1779 to 1783
48.	D. Matfas de Gálvez.....	1783 to 1784
49.	D. Bernardo de Gálvez.....	1785 to 1786
50.	D. Alonzo Nuñez de Haro.....	1787
51.	D. Manuel Antonio Flores.....	1787 to 1789
52.	Conde de Revillagigedo, the Younger.....	1789 to 1794
53.	Marqués de Branciforte.....	1794 to 1798
54.	D. Miguel de Azaña.....	1798 to 1800
55.	F. Berenguer de Marquina.....	1800 to 1803
56.	D. J. de Iturrigaray.....	1803 to 1808
57.	D. Pedro Garibay.....	1808 to 1809
58.	D. Franco Javier Lizana.....	1809 to 1810
59.	Francisco J. Venegas.....	1810 to 1813
60.	Felix M. Calleja.....	1813 to 1816
61.	Juan Ruiz de Apodaca.....	1816 to 1821
62.	D. Juan O'Donojú.....	1821

GOVERNMENTS SINCE INDEPENDENCE

FIRST PERIOD

First Regency..... September 28, 1821, to April 11, 1822.

Second Regency.... April 11, 1822, to May 18, 1822.

Augustine I.,

Emperor..... Proclaimed May 18, 1822; took oath May 21; crowned
July 21, 1822; abdicated March 19, 1823.

Provisional

Government..... The Marqués of Vivanco, political chief of Mexico,
took charge on the abdication of Iturbide. On March
31, 1823, Congress elected a Supreme Executive Coun-
cil of three, which entered upon its duties on April 2,
1823.

UNDER CONSTITUTION OF OCTOBER 4, 1824

President..... General Guadalupe Victoria, October 10, 1824, to April
1, 1829.

President..... General Vicente Guerrero, April 1, 1829, to December
17, 1829.

Acting President... Licentiate José María de Bocanegra, December 17,
1829, to December 23, 1829.

Supreme Executive

Council..... December 23, 1829, to December 31, 1829.

President..... General Anastasio Bustamante, December 31, 1829, to
August 14, 1832.

Acting President... General Melchor Muzquiz, August 14, 1832, to Decem-
ber 24, 1832.

President..... General Manuel Gómez Pedraza, December 24, 1832,
to April 1, 1833.

President..... General Antonio López de Santa Anna, April 1, 1833,
to January 28, 1835.

President..... General Miguel Barragan, from January 28, 1835, to
February 27, 1836.

President..... Licentiate José Justo Carro, February 27, 1836, to
April 19, 1837.

UNDER CONSTITUTION OF JANUARY 1, 1837

President..... General Anastasio Bustamante, April 19, 1837, to
March 18, 1839.

On the latter date Bustamante was replaced by Santa
Anna. From July 10 to July 17, 1839, General
Nicolás Bravo acted as President. Bustamante was
in charge from July 17, 1839, to September 22, 1841,
when Don Javier Echeverría was installed as Act-
ing President.

DICTATORSHIP

Provisional

President..... General Antonio López de Santa Anna, October 10,
1841, to October 26, 1842.

Substitute

President..... General Nicolás Bravo, October 26, 1842, to March
5, 1843.

Provisional

President..... General Antonio López de Santa Anna, March 5, 1843,
to October 4, 1843.

Substitute

President.....General Valentin Canalizo, October 4, 1843, to February 1, 1844.

Substitute

President.....General Valentin Canalizo, February 1, 1844, to June 4, 1844.

(Canalizo during this period was acting in lieu of Santa Anna, who had been elected Constitutional President, under the law of June 12, 1843.)

UNDER CONSTITUTION OF JUNE 12, 1843

President.....General Antonio López de Santa Anna, June 4, 1844, to September 12, 1844.

Acting President... General José Joaquín de Herrera, September 12, 1844, to September 21, 1844.

Acting President... General Valentin Canalizo, September 21, 1844, to December 6, 1844.

President.....General José Joaquín de Herrera, December 6, 1844, to December 30, 1845.

President.....General Mariano Paredes y Arrillaga, January 4, 1845, to July 28, 1846.

President.....General Nicolás Bravo, July 28, 1844, to August 4, 1846.

Acting President... General José Mariano Salas, August 5, 1846, to December 24, 1846. By decree of August 22, 1846, the Constitution of 1824 was reestablished.

UNDER CONSTITUTION OF 1824

Vice-President and

Acting President..Don Valentin Gómez Farías, December 24, 1846, to March 21, 1847.

President.....General Antonio López de Santa Anna, March 22, 1847, to April 1, 1847.

Substitute

President.....General Pedro M. Anaya, April 1, 1847, to May 20, 1847.

President.....General Antonio López de Santa Anna, May 20, 1847, to September 16, 1847.

President.....Licentiate Manuel de la Peña y Peña, September 16, 1847, to November 14, 1847.

Acting President...General Pedro M. Anaya, November 14, 1847, to January 8, 1848.

President and

Acting President..Don Manuel de la Peña y Peña, January 8, 1848, to June 2, 1848.

President.....General José Joaquín de Herrera, June 2, 1848, to January 15, 1851.

President.....General Mariano Arista, January 15, 1851, to January 5, 1853.

Acting President...Don Juan B. Ceballos, January 5, 1853, to February 7, 1853.

DICTATORSHIP

President with General Antonio López de Santa Anna, April 20, 1853.
Full Powers.....to August 11, 1855.

GOVERNMENTS SUBSEQUENT TO THE REVOLUTION OF AYUTLA

- Acting President....General Martin Carrera, August 14, 1855, to September 12, 1855.
- In charge of
Federal District....General Romulo Diaz de la Vega, September 12, 1855, to October 4, 1855.
- Acting President....General Juan Alvarez, October 4, 1855, to December 9, 1855.
- Substitute
President.....General Ignacio Comonfort, December 11, 1855, to December 1, 1857.
- President.....General Ignacio Comonfort, December 1, 1857, to December 19, 1857.
- Provisional
President.....Benito Juárez, December 19, 1857, to June 15, 1861.
- President.....Benito Juárez, June 15, 1861, to November 8, 1865. 1861-1867, period of French Intervention and of Maximilian.
- President.....Benito Juárez, November 8, 1865, to December 25, 1867.
- President.....Benito Juárez, December 25, 1867, to December 1, 1871.
- President.....Benito Juárez, December 1, 1871, to July 18, 1872. (Died in office.)
- President.....Sebastian Lerdo de Tejada, July 18, 1872, to December 1, 1872.
- President.....Sebastian Lerdo de Tejada, December 1, 1872, to November 21, 1876.
- Provisional
President.....General Porfirio Diaz, November 28, 1876, to December 6, 1876.
- In charge of the
Executive Power..General Juan N. Mendez, December 6, 1876, to February 16, 1877.
- Provisional
President.....General Porfirio Diaz, February 16, 1877, to May 5, 1877.
- President.....General Porfirio Diaz, May 5, 1877, to November 30, 1880.
- President.....General Manuel González, December 1, 1880, to November 30, 1884.
- President.....General Porfirio Diaz, December 1, 1884, to November 30, 1888.
- President.....General Porfirio Diaz, December 1, 1888, to November 30, 1892.
- President.....General Porfirio Diaz, December 1, 1892, to November 30, 1896.
- President.....General Porfirio Diaz, December 1, 1896, to November 30, 1900.
- President.....General Porfirio Diaz, December 1, 1900, to November, 1904.
- President.....General Porfirio Diaz, December 1, 1904, to November 30, 1910.

President.....General Porfirio Diaz, December 1, 1910, to May 25, 1911.
Since the overthrow of Diaz, the following have exercised executive power, though frequently their claims to the office have not been admitted by the country generally or recognized by other nations.
Francisco Leon de la Barra, May 25, 1911, to November 10, 1911.
Francisco I. Madero, November 10, 1911, to February 19, 1913.
Pedro Lascurain, from 7 p.m. to 7:46 p.m., February 19, 1913.
Victoriano Huerta, February 19, 1913, to August 13, 1914.
Eulalio Gutierrez, December 13, 1914, to January 25, 1915.
Roque González Garza, January 30, 1915, to May, 1915.
Francisco Lagos Cházaro, July 31, 1915, to October, 1915.
Venustiano Carranza, March 11, 1917; assassinated May 21, 1920.
Adolfo de la Huerta, President ad interim, June 1 to November 30, 1920.
Alvaro Obregón, December 1, 1920.

NATURE'S HAND IN MEXICO

A SKETCH OF THE GEOGRAPHY AND ITS EFFECT ON THE CLIMATE, THE PEOPLE AND THEIR INDUSTRIES

By WALLACE THOMPSON

Author of "The People of Mexico," etc.

Area and Extent: The vast cornucopia-like triangle of land which comprises the territory of Mexico lies south of nearly three-quarters of the southern boundary of the United States. Its western tip touches Southern California at the Pacific and its most easterly point is five hundred miles south of Pensacola, at the western end of Florida. For 1833 miles Mexico's northern border is contiguous to the United States, 693 miles eastward along arbitrarily marked lines from the Pacific Ocean to El Paso, Texas, and the remainder southeastward along the sinuous course of the Rio Grande to the Gulf of Mexico. Its jagged southern border is hardly four hundred miles long, touching Guatemala and British Honduras (Belize).

This cornucopia, grasping the Gulf of Mexico on the east like a great hand, swings southeastward from the Pacific contact with the United States until the most westerly point of the Guatemalan border is five hundred miles *east* of Mexico's easternmost contact with the United States on the north.

Set apart, as Mexico is by her boundaries, she seems in form much like a great peninsula, but she has, herself, two important peninsulas as part of her territorial extent and configuration. One is the Peninsula of Yucatán, which forms the eastern tip of the cornucopia, the thumb of the curving hand which grasps the Gulf of Mexico, an area of about 50,000 square miles. The other is the long, narrow peninsula of Lower California, with 58,343 square miles, extending directly south of the American state of California and connected with the Mexican mainland by only a narrow strip.

That mainland comprises, with the two peninsulas, 765,762 square miles, and the 1561 square miles of coastal islands under Mexican sovereignty bring the total area of the country up to 767,323 square miles. The greatest width of the mainland is 750 miles, and the greatest length is 1942 miles, from the northwestern tip of Lower California, where it joins the United States, to the southernmost point in the jagged Guatemalan border in the Mexican state of Chiapas. The narrowest point in Mexico is 120 miles, at the Isthmus of Tehuantepec, once discussed as the possible site of an interoceanic canal, and in the time of Diaz the route of a great trans-shipping railway between the Pacific and the Gulf of Mexico. The Atlantic (Gulf of Mexico) coastline of Mexico is 1727 miles long, that of the Pacific (including the long border of Lower California) 4574 miles.

Lying between 32° 30' and 14° 30' North Latitude and 86° 30' and 117° Longitude west from Greenwich, the triangu-

lar form of the Mexican territory places it about equally in the temperate and torrid zones. This is a primary factor in Mexican climate, but far more significant, indeed, is the contour of the country itself.

Mountains: The land is largely mountainous, for if we include the fertile tablelands, nearly two-thirds of the country is covered with mountain ranges. The Rocky Mountains of the United States, the great backbone of the Western Hemisphere, cross the Mexican border into Sonora, and almost immediately south of the international line begin spreading eastward. A long, slowly rising valley a hundred miles wide, continues southward from El Paso, narrowing rapidly, while to the eastward of this valley rises a new range of mountains, obviously a part of the great Rocky Mountain range, but unconnected with it in the United States and south, indeed, of the broad flat plains of Texas. This is the *Sierra Madre Oriental*, or Eastern Mother Range, the continuation of the Rockies in Sonora and Durango being called the *Sierra Madre Occidental*, or Western Mother Range. Further south, these two join together, and spread to virtually the whole width of Mexico, excepting for the Gulf coastal plain, some three hundred miles wide, to the east. All of central Mexico is mountainous, flattened only by vast plateaus which, according to the accepted geological theory, were created by alluvial deposits and lava dust from the mountains which still rise above them. At the Isthmus of Tehuantepec, the Sierra Madre flattens out till, save for the relatively easy grades which climb from the Gulf and from the Pacific to the summit of the low divide (about three hundred feet above the sea) the mountains might be all but gone. The narrow plane of the Isthmus passed, the mountains rise again until the center of the great state of Chiapas is once more a vast plateau accented with towering peaks, a formation which continues southward through Central America, lowers again at Panamá, but joins directly, at last, with the South American Andes.

In this vast sweep of mountainous territory are hundreds of deep cañons or *barrancas*, great fertile plateaus, and many wonderful mountains. Of these last the snow-peaked volcanoes about the great Valley of Anáhuac, the site of Mexico City and for ages the center of Mexican government and population, are the most famous. Here are Popocatepetl (17,520 feet) and Ixtaccihuatl (16,960 feet), and to the eastward the still more beautiful cone of Orizaba (18,250 feet). Virtually at the same latitude, but far to the west, is Colima (12,991 feet) a still active volcano. Toluca (14,950 feet), close to the Valley of Mexico, Malinche (14,636 feet) in the state of Tlaxcala, the Cofre de Perote (13,400 feet) in the state of Vera Cruz, and Tancítaro (12,664 feet) are those of greatest height. Only the already great altitude of the plateaus of Mexico from which most of the striking

mountains spring keeps hundreds of others from the notice of travelers and geologists. The scenery which results from the mountainous formations of Mexico is literally unsurpassed, for Popocatepetl and Ixtaccihuatl can give the climber all the thrills of the Alps, and the crater lakes to be found in one or two sections of Mexico rival in splendor the more famous resorts of Europe.

The vast barrancas which mark the mountainous formation all through Mexico are magnificent to contemplate, but the day's journey down and up the sides of such a geological spectacle as the Barranca of Beltran brings home to even the amateur observer the terrific handicaps which these vast cuts put upon the industrial development of the country. Much of the conquering of these handicaps was achieved under the broad railway policy of President Diaz, and the work done still remains, but many years must now pass before the final conquest is achieved. Such a work as the building of the Colima branch of the Mexican Central, carrying a direct line for the first time from the capital to the Pacific, will hardly be repeated when revolution threatens, for here, in less than one hundred miles, twenty great bridges had to be built, most of them crossing barrancas and cuts of geological formation, with virtually no streams filling them even in the rainy season. The Southern Pacific line from the northern border in Sonora lacks but sixty miles of linking up with the Guadalajara branch of the National Railways, but thirty of those sixty miles are through a mountainous territory, cut with deep barrancas, so that the cost of building will be close to a million dollars a mile.

Rivers and Streams: Such barrancas and valleys do not, moreover, indicate either great water-power or navigable streams. There is water-power in Mexico, to be sure, but it comes from two factors, the sheer drops which give wonderful power sites with tremendous heads of water, and the heavy torrential rainy season. But the streams themselves do not carry sufficient water the year around to justify any plant, and tremendous reservoir development is vital to any power-plant design. Such reservoirs have been built in various parts of Mexico, but at appalling expense, and with an added and unexpected element of failure—the porousness of much of the soil of Mexico. The mountains, indeed, are of igneous rocks, but underneath is often limestone, and more often still, in those places where a great impounding of water might be made with a relatively low and inexpensive dam, the soft, porous alluvial and volcanic-ash land with which the valleys have been filled.

This porous soil is a factor bearing on the absence of both great water-power and navigable streams. Even in the lowlands the streams run underground in Mexico, and while they can be tapped by shallow wells, they deprive Mexico almost entirely of the advantages of river transportation. Even the Rio Grande,

on the northern border, is useless for navigation most of the year. The Pánuco, at whose mouth is located the great oil center of Tampico, is navigable only a short distance above that port. The broad, rich coastal plain along the Gulf of Mexico is watered by tiny streams, all of which, excepting the partially navigable Papaloápam, are useless for steamers and even for launches most of the year. Not until we reach the Isthmus of Tehuantepec do we find a river worth considering for transportation. The Coatzacoalcas, at whose mouth on the Gulf of Mexico is Puerto Mexico, the eastern terminus of the Tehuantepec National Railway, furnishes a highway which made possible the relatively great development of American tropical plantations during the years of peace under Diaz. Its mouth was then the port of loading for great ships, but only by continual dredging was it kept open, and today the port is abandoned except for light-draft coasting ships. Further south, emptying into the gulf at Frontera, is the magnificent system of which the Grijalva and the Usumacinta are the chief streams. Here, indeed, have plied and in the future will ply great river steamers, for upon the banks of the Usumacinta, at least, are rich oil fields and the fairest farming land in all tropical Mexico. Both the Grijalva and Usumacinta are magnificent streams, and the latter is comparable, in its majestic volume, to the Mississippi itself. Only the bar at Frontera keeps them from being navigable to ocean steamers. For a brief period under President Madero this bar was dredged so that fruit boats could enter and go to the docks of banana farms, encouraging a promising industry which was killed by heavy taxation and government neglect of the dredging, under the revolutionary presidents of recent years. But this one system of rivers offers virtually all there is of navigation in Mexico—and they can serve but parts of two states, Tabasco and Chiapas.

Yucatán, the peninsula which separates the Caribbean Sea from the Gulf of Mexico, is virtually without rivers, the water from the abundant rainfall of its interior finding its way to underground streams in the porous underlying limestone.

On the west coast there are a few rivers. The most important is the Lerma, which waters a large territory on the Pacific side of the Continental divide, and allows some local transportation. The Balsas, in the states of Oaxaca and Guerrero, reaches far inland, but rapids and shallows make its use for navigation expensive and all but impossible. In Sonora is the Yaqui River, navigable for small boats and of some value for transportation. The Fuerte is also in this class.

Harbors: Another phase of the geography of Mexico which affects transportation is the complete absence of good natural harbors well located. The chief port of Mexico, Vera Cruz, has a harbor which was built artificially around a partially protected

bay. Tampico is a port solely because of the jetties which narrow the mouth of the Pánuco and, with the help of dredges, keep the channel clear. Puerto Mexico has a similar problem, but the smaller river makes dredging absolutely vital. Frontera is solely a dredging proposition, as the Usumacinta and the Grijalva, emptying together into the gulf, have formed a vast delta in the lowlands which can probably never be narrowed to take advantage of the vast volume of water which they pour out. Yucatán has literally no semblance of a harbor, and its great crops of sisal hemp are loaded from lighters at appalling expense.

On the Pacific, Acapulco has one of the ideal harbors of the world, completely landlocked, and open for medium-draft ships. But it is small, and moreover as yet almost inaccessible to any railway survey, although it was used by the galleons from Manila as a port for trans-shipment of the treasures of the Orient across Mexico to the galleons from Cadíz which came to Vera Cruz. Salina Cruz, the Pacific terminus of the Tehuantepec National Railway, was built from an open roadstead with two lines of jetties and sea-walls, a work which inattention has now all but ruined. Manzanillo, the terminus of the only direct railway line from Mexico City to the Pacific, was also built with sea-walls and was opened by dredges. Mazatlan, further up the coast, the chief port of the Southern Pacific Railway of Mexico, is still an open roadstead. Guaymas, the port of the State of Sonora, is accessible to only the light-draft ships.

These are all great natural handicaps, and have affected the life of Mexico probably more than it will be possible to estimate. The mighty and costly work of the Diaz régime in building harbors is a monument to that "materialistic" era which will last through many years and has already played a tremendous part in furnishing the sinews of revolution to succeeding governments, for without that work Mexico would be far from capable of sustaining herself in the reconstruction period of today.

Climate: But beyond all these factors of mountains and rivers and sea looms a yet greater problem, and still more far-reaching—the problem of climate. As noted, Mexico lies in about equal parts in the temperate and torrid zones. But the geological zones are far more important, for climate is affected not alone by latitude, but by altitude as well. These geological zones are three, the hot country or *tierra caliente*, the temperate country or *tierra templada* and the (relatively) cold country or *tierra fria*. The hot country is the lowland section along the coasts from sea-level to 3000 feet altitude, where the mean annual temperature varies from 76° to 88° Fahrenheit. The Mexican terminology includes not only the lowlands of the torrid zone, but the whole coastal plain up to the northern border. The *tierra templada* lies along the mountain slopes and in the lower plateaus, between 3000 and 6500 feet altitude, where the tem-

perature is between 65° and 76°. This zone takes in the northern sections which are within the temperate zone proper. The *tierra fria* takes in the high plateaus and the mountains, between 6500 and 12,500 feet, the yearly average temperatures varying from 30° to 60°, although the important sections record 50° or more.

The three geological zones each comprise about one-third of the country, but half of the inhabitants live in the cold zone, and only a quarter each in the temperate and hot sections. The mean temperatures of the cold zone are approximately those recognized as the most favorable for physical exertion, but in the hot country the body struggles against a handicap of almost 20°F. more than the 65° at which it normally functions best. More significant still are the temperatures of all the zones in their relation to mental activity. The human mind is at its best under the stimulus of a mean temperature of about 40°F., but even at Mexico City, 7500 feet above sea-level, the mean temperature of winter is as high as 53°. In the temperate and hot countries the handicaps under which the brain functions run to 20° and even to 45° above the 40° at which the human mind works at highest efficiency. No stimulating winters, no clarifying cool spells, even, in the midst of the endlessly beautiful summers of Mexico.

Only the cold zone has any advantages in temperature, and these advantages are equally important with the fertility of the soil in accounting for the predominance of population there. Yet even where the temperature is favorable to at least physical work, there is the debilitating sameness of the tropics, the assurance that there will always be more difference between day and night than between the seasons. There on the heights, too, the nervous drain of altitude and of lack of moisture in the air takes the place—with no advantage to the human machine—of the humidity and heat of the hot country. At every turn in Mexico, climate takes toll of human energy, even if we ignore the undoubtedly debilitating effect of tropical and sub-tropical light upon the white men and upon their mixed-blood descendants as well.

All these climatic factors, then, have continuous influence on the health of all the Mexican people. The hot, humid weather of the hot country makes those who live there low in resistance to disease, while the nervous strain of the altitudes and dryness of air in the better portions achieves a not dissimilar result in lowering of resistance. It is axiomatic that the Mexicans as a people are seldom well and, as has been recorded in detail elsewhere,¹ this ill-health has been and is today one of the determinants of the relatively low state of progress of the country. No people who are continually sick and upon whose energies their climate is a continuous drain can work well or achieve greatly.

¹Wallace Thompson, *The People of Mexico*, Book I, Chap. V.

Rainfall: Another vitally important effect of Mexican geography is the uncertainty and untoward distribution of rainfall. This has forced upon the Mexicans their diet of corn and with it their use of fiery condiments which are the chief causes of the digestive disorders which ravage all classes. Moreover, the rainfall conditions have been vitally important in the determination of the entire agricultural tendency of the country.

The seasons in Mexico are marked, not by winter cold and summer heat so much as by seasons of rain and drought. The winter is the dry season, roughly between October and May, and the summer is the salubrious rainy season, from June to September. The distribution of rain throughout the year and the failure of the rains in the important growing seasons in some of the otherwise fertile sections is due primarily to the geography of the country. Professor Ellsworth Huntington of Yale, the great American climatologist, finds that Mexico's summer rains are due to the vertical rays of the sun which cause the rapid rising of the heated air, with sudden expansion and condensation, first over the low-lying hot country and later on the rising uplands of the *tierra templada*, where the function of the mountains in bringing about condensation is amply proven by the well-watered eastern slopes and the dry western sides of the ranges.

This mountain contour and the peculiar shape of the Mexican mainland (very wide at the north in proportion to the south) create another important climatological effect—the broad stretches of desert in the northern sections of Mexico. The so-called continental type of climate which forms the American deserts further north combines with the mountain contour and the distance from the eastern seashore (driving the rain-clouds southward) to make immense sections of Mexico desert, capable of supporting, at best, only wandering herds. These deserts lie between the broad arms of the great “Y” of the Mexican mountain ranges, and combined with the mountain-sides themselves render nearly three-fourths of the area of Mexico unfit for cultivation, even if irrigation were general.

The result is that of the 500,000,000 acres of land in Mexico, not more than 25,000,000 acres are arable. Great sections are useless, so that in the state of Chihuahua, 90,000 square miles in extent, only about 125,000 acres, or less than two-tenths of one per cent, can be cultivated—and most of that arable portion is irrigated.

The most fertile sections of Mexico are rich indeed, and in the plateau valleys, where alluvial deposits and lava dust have been poured in together to form the soil, great crops can be raised—when there is rain. Only in relatively limited sections, however, is rain sure to come at the times needed by the crops. Often when it does come, it is in raging torrents which are

likely to wash cultivated fields away in a single night. It is this condition which makes the so-called *tierra templada*, on the slopes of the mountains, in many ways the least desirable of all the farming land of Mexico.

Uncertainty of rainfall is, then, one of the outstanding results of the Mexican climate as influenced by Mexican geography. This uncertainty works forever upon the mind of the Mexican farmer, making him a hopeless fatalist, making it less than worth his while to attempt scientific cultivation. If there is rain, his crops are good anyway, and if there is not rain, the cost of labor and of fertilizer and seed are lost. The Mexican farmer is the worst of gamblers, and his fondest hope is that his average crop over a period of years will be twenty-five per cent of normal.

Irrigation is as yet in the distant future. Under such conditions as climate and geography have forced upon Mexico (requiring great and expensive storage facilities for the water), irrigation is something which only government or extensive private enterprise can achieve. In the closing years of the Díaz régime (before 1911) many franchises were granted to large private companies which planned irrigation projects, and the sum of 90,000,000 pesos was ordered expended on government irrigation projects over a period of years. A few of the private companies had put their plans into execution, and many others, on the way to accomplishment, were nipped and destroyed by the subsequent revolutions. For the past ten years, nothing has been done toward solving the problems of irrigating the fertile but unwatered lands of Mexico.

Rainfall conditions have had much to do with the over-emphasis on the land problem and indeed with the failure of succeeding governments to solve that problem. As in all arid countries, water rights were originally more important to the natives than were land rights. In hundreds of the Indian communes which persist in northern Mexico, the communal rights of the Indians are distributed, not on the basis of land assigned, but of the water allowed; about Monterrey, each Indian receives a proportion of the water brought by the communal irrigation ditches, and may take four times the amount of land which his water will irrigate—for crop rotation, forage, etc. This inevitable emphasis on water has perhaps had its part in directing the attention of the Indians, in their demands for land distribution, toward the cultivated haciendas where water is available. It gives promise, however, of making possible the rehabilitation of the country through great irrigation projects which will make tiny rich tracts available for distribution to industrious natives—and foreign small farmers as well. In the government franchises given under Díaz to private irrigation projects, provision was always made that about one-third of the land brought into cultivation should be turned over to the government for distribu-

tion to small native farmers. It may be that this plan, or one like it, is the only possible solution of the Mexican land problem.

Climate and Agriculture: Aside from the personal effect of these rainfall conditions, they have determined, with imperative insistence, the type of agriculture which is followed in Mexico. They have made corn (maize) the staple food of the country, as wheat is the staple of lands where there is winter snow and regular rainfall throughout the year. They have allowed the development of only the tropical products in the rich districts of Vera Cruz and Oaxaca which were partially developed by foreign stock companies under Diaz. They have, more than all, enthroned, as the chief agricultural export of Mexico, the sisal hemp of Yucatán. This desert product, which requires slow growth for the maturing of the long, stout fibers out of which are made rope and binder twine, is the greatest item of export of Mexico which is the combined product of nature's bounty and human enterprise. Coffee and some rubber and tobacco and a little sugar Mexico has raised for export in other days, but only sisal hemp, the product of the desert henequen plant, and cotton in a few favored localities have become wealth-producers in any great quantity. Mexico has long been an importer of foodstuffs, for before the days of modern commerce famine came with terrible regularity. Under Diaz, food was imported in increasing quantities, and since his fall, Mexico has been utterly dependent on the outside world for a large portion of the nutriment of her people.

It is impossible now to predict when and how Mexico will become an agricultural country in fact as well as in potentialities. Irrigation must come, and only when it does will agriculture and the prosperity of agriculture fill the land. In one section where irrigation has been carried through—the Laguna district near Torreon, Coahuila—cotton is grown in quantity. This product supplies the native industry of cotton weaving which flourishes near Orizaba and in other isolated sections where water-power development has been possible.

The desert character of the country in the north was responsible for the development of a great cattle-raising industry, for the land was cheap and the ranges vast. This has today been virtually wiped out, and Mexico imports meat from the United States—all the result of revolution, so that when peace comes the cattle industry will surely be revived. But always the cattle of northern Mexico have been of the range, still unfit for profitable slaughter, and sections suitable for their fattening have been badly needed. There was, in other days, much shipment of range cattle into the United States, and to the better watered southern sections of Mexico. But although peace will bring a revival of the ranges, Mexico cannot look forward to becoming a great meat-producing country until the irrigation problem is solved.

There are rich, well-watered sections of Mexico—this must not be overlooked—but these have resulted in a crowding of population on the plateaus and through the rich valleys such as that of the Lerma River in Jalisco, and have contributed but little toward the broad development of the country. In fact, one of the characteristics of Mexico's population distributions has been the tendency to gather into groups, so that a great city like the capital or Guadalajara or Puebla, will have a dozen cities and villages of considerable size close about it—and then stretches of sparsely populated country for leagues until another group is found. This is essentially climatic—and geographical.

Mineral Resources: The mountainous character of Mexico has upturned great mineral riches, and this has naturally had its effect on the nation. Mining camps and groups of mining camps dot the country, and distinct territories are devoted to the mining, here of silver, there of gold, here of copper, lead, etc. Indeed, the geography of Mexico has had a tremendous effect in the creation there of a country primarily rich in minerals as she is poor in agriculture. Oil is today the greatest single source of wealth of Mexico, but the other minerals still have their important bearing on her development.

The mineral wealth (oil as well as metals) has been the chief attraction which has brought foreign capital to Mexico. The Spaniards and to a lesser extent the Indians before them, mined the mountains of Mexico, but it remained to foreign enterprise in the time of Diaz to open up the great bonanza sections to scientific development. In the train of this development came more foreign capital of every sort, for agriculture, for industry, for oil, for public service investment. This foreign capital, developing Mexico's latent resources, opened her to the world, and brought forth her great promise of the future—it also gave the revolutionists who overthrew Diaz a handy battle-cry of anti-foreignism.

It seems unlikely that without the geographical and geological conditions which offered the wealth of minerals to the development of capital, Mexico would or could have entered upon the modern stage of her development. In that was the hope of the past and in it, too, is the hope of the future regeneration of Mexico. The tempting possibilities of such development are the only bait which will bring back to Mexico the stream of foreign capital to which alone she can look for her prompt salvation, when peace becomes permanent.

Industries: The geography and climate have had their hand, too, in the industrial situation. Mining, in the time of Diaz, drained the available labor away from the farms and away from the small factories which then existed. The oil fields have more recently taken a large proportion of the available workers. The

supply of labor in Mexico is astonishingly small—the development of the latent labor supplies in the Indian communes waits on peace and on education. Temperamentally (and in this we find the hand of climate) the Mexican is not a good factory worker. The raw products which the land produces, sisal hemp, cotton, rubber, etc., all demand for their profitable manufacture large and intricate plants, such as Mexico has not built and for whose operation she has never trained her people. Therefore, save for the cotton factories (which produce only the coarser staples), there is today in Mexico almost no industrial development. The list of industries of which such a manufacturing town as Monterrey boasts, include, for instance, candle and match factories employing thirty or forty people, brass bed “factories,” where the products of American foundries are put together, soda water factories—the industries which no city in any other land would find worth mentioning. Mexican industry, indeed, waits surely upon the development of raw materials, upon the education of her laboring classes, and upon the solution of the problems of irrigation and water power.

Development of Natural Resources: Geography and climate have been cruel to Mexico—of this we need not deceive ourselves. But throughout the list of unhappy conditions which has been set down here there runs a promise of advancement and of better things—when peace is assured and when foreign enterprise shall again be welcomed. All of the advance which Mexico has made in her long fight against an unkind nature has been made with the help of foreign energy. First was Spain, and the three hundred years in which she built the colony up to a semblance of a modern state, creating great cities and peace and prosperity. Then, after fifty years of destructive revolution, Diaz, and his wise invitation to and use of foreign enterprise and foreign money. Only in these two periods has Mexico been prosperous.

The greatest advance was under Diaz, when in thirty years Mexico rose from the ashes of her revolutions and attained the heights of commercial advancement. In that time her railways were almost all of them built, all the water power which she now has, developed, the great and productive irrigation section—the Laguna cotton district—reclaimed from the desert, the sisal hemp industry created, the factories, such as they are, built and set in operation. Virtually all of these advances were made with foreign capital and under the control of foreign engineers and managers. Success crowned the faith and the efforts of all who devoted themselves to these developments, and it was their conquering of the great natural handicaps of Mexico which made possible the glowing tales of her “treasure-house.” When such times as those come again, and only when they come, will the battle against Nature be resumed, and in its resumption, the signs of man’s great conquest reappear.

STATES AND TERRITORIES

In the Mexican Republic there are twenty-eight states, two territories, and a Federal District corresponding to the District of Columbia. The following table shows the size and population of the several states:

States	Population in 1912	Area Sq. Miles	Capital
Aguascalientes.....	124,497	2,969	Aguascalientes
(T) Baja California	53,254	58,338	} Ensenada { La Paz
Campeche.....	86,685	18,089	Campeche
Chiapas.....	456,371	27,527	Tuxtla Gutierrez
Chihuahua.....	423,387	90,036	Chihuahua
Coahuila.....	376,747	63,786	Saltillo
Colima.....	80,500	2,272	Colima
Distrito Federal....	763,170	578	Mexico City
Durango.....	509,585	42,272	Durango
Guanajuato.....	1,085,681	10,950	Guanajuato
Guerrero.....	620,416	25,279	Chilpancingo
Hidalgo.....	655,187	8,637	Pachuca
Jalisco.....	1,220,160	33,492	Guadalajara
Mexico.....	1,000,903	9,230	Toluca
Michoacán.....	1,003,491	22,621	Morelia
Morelos.....	183,705	1,895	Cuernavaca
Nayarit.....	175,731	10,953	Tepic
Nuevo León.....	373,207	25,032	Monterrey
Oaxaca.....	1,059,789	35,689	Oaxaca
Puebla.....	1,118,439	12,992	Puebla
Querétaro.....	247,195	4,493	Queretéro
(T) Quintano Roo..	9,328	19,274	Santa Cruz de Bravo
San Luis Potosí....	638,832	24,004	San Luis Potosí
Sinaloa.....	329,317	27,557	Culiacan
Sonora.....	275,107	76,633	Hermosillo
Tabasco.....	193,675	10,374	San Juan Bautista
Tamaulipas.....	256,278	30,831	Victoria
Tlaxcala.....	186,642	1,534	Tlaxcala
Vera Cruz.....	1,165,934	27,880	Jalapa
Yucatán.....	347,781	15,939	Mérida
Zacatecas.....	480,690	24,471	Zacatecas

COMPARATIVE TABLE

An interesting comparison of the density of population of the various Mexican states with that of states in the United States appears in the following table:

Mexico	Population per sq. mile	United States	Population per sq. mile
Aguascalientes.....	40.6	Iowa.....	40.
Baja California.....	.8	Nevada.....	.7
Campeche.....	4.7	Utah.....	4.5
Chiapas.....	16.1	Nebraska.....	15.5
Chihuahua.....	4.6	Idaho.....	3.9
Coahuila.....	5.7	Colorado.....	7.7
Colima.....	34.2	Louisiana.....	36.5
Federal District.....	1556.8	District of Columbia.....	5517.8
Durango.....	12.8	Florida.....	13.7
Guanajuato.....	95.1	Illinois.....	100.6
Guerrero.....	20.1	Kansas.....	20.7
Hidalgo.....	74.7	Indiana.....	74.9
Jalisco.....	37.9	Vermont.....	39.
Mexico.....	107.	Delaware.....	103.
Michoacán.....	43.3	Wisconsin.....	42.
Morelos.....	60.4	Kentucky.....	57.
Nayarit.....	15.1	Texas.....	14.8
Nuevo León.....	15.4	California.....	15.3
Oaxaca.....	29.3	Arkansas.....	30.
Puebla.....	90.2	Maryland.....	130.
Querétaro.....	68.8	So. Carolina.....	49.7
Quintana Roo.....	.4	Arizona.....	1.8
San Luis Potosí.....	24.7	Maine.....	24.8
Sinaloa.....	9.6	North Dakota.....	8.2
Sonora.....	3.4	Montana.....	2.6
Tabasco.....	18.6	Washington.....	17.1
Tamaulipas.....	7.7	Oregon.....	7.
Tlaxcala.....	115.4	Ohio.....	117.
Vera Cruz.....	38.7	Georgia.....	44.4
Yucatán.....	9.6	South Dakota.....	7.6
Zacatecas.....	19.2	Rhode Island.....	508.5
Average density 20 per square mile		Average density 30 per square mile	

SECTION II—POLITICS AND GOVERNMENT

THE GOVERNMENT OF MEXICO

By HERBERT INGRAM PRIESTLEY, Ph.D.

University of California

The Government of The United States of Mexico is organized under the provisions of the Constitution framed at Querétaro, and promulgated February 5, 1917. This document is, particularly in its provisions for organization and administrative machinery, an elaboration of the Constitution of 1857. By it the Mexican people are constituted "a democratic, federal, representative republic, consisting of states free and sovereign in all that concerns their internal affairs, but united in a federation according to the principles of this fundamental law."—Art. 40, Chap. I, Title II.

"The people exercise their sovereignty through the federal powers in matters belonging to the Union, and through those of the states in matters relating to the internal administration of the latter. This power shall be exercised in the manner respectively established by the constitutions, both federal and state. The constitutions of the states shall in no case contravene the stipulations of the Federal Constitution."—Art. 41, Chap. I, Title II.

The country is divided into twenty-eight states, two territories, and a Federal District which includes the capital. The powers of government are divided into legislative, executive and judicial. It is expressly provided that no two or more of these powers shall be exercised by one person or corporation; even the executive power shall not be vested in one person except in accordance with Article 29, which provides for extraordinary executive powers in times of grave public menace. This article permits suspension of personal rights of citizens by general decrees for limited periods. If the suspension occurs while Congress is in session, that body controls the character of the grant of powers to the executive; if Congress is in recess, it must be convoked at once to grant the powers needed.

The Legislative Power is vested in a Congress composed of a Senate and a Chamber of Deputies. The Chamber of Deputies is composed of representatives of the people, chosen every two years at the rate of one for each sixty thousand inhabitants, or fraction thereof exceeding twenty thousand. The computation

is still made upon the figures of the census of 1910, but a new census is now being taken (1921). Each state and territory has at least one Deputy. These Deputies are chosen by direct vote; they must be Mexican citizens by birth, over twenty-five years old, natives of the states or territories they represent, or be residents therein for six months prior to their election. They must have no connection with any military forces in the area they represent, nor may they have connection with the executive Secretariats, the Supreme Court, nor the State governments. No minister of any religious faith may be a Deputy.

The Senators, two from each state and the Federal District, serve four years, half retiring every two years. They must be thirty-five years old. Both Deputies and Senators are guaranteed immunity for opinions officially expressed. They are prohibited from accepting other paid Federal or State offices.

Congress must hold sessions yearly beginning September 1st and continuing not later than December 31st. The President may convene either or both houses in extraordinary session. Alternates (*suplentes*) are chosen at the same time that Deputies and Senators are elected, in order to prevent possible lack of representation through default of a principal.

Legislation is initiated, first, by the President of the republic, second, by members of Congress, third, by the state legislatures. Legislation initiated by the President or the legislatures is given preference on the calendars.

Congress has power to decide the boundaries of the states, enact tariff laws, control all mining, commerce, and institutions of credit, create and abolish federal offices, declare war, and provide for the national defense. It may pass laws governing citizenship, naturalization, colonization, immigration, and public health. Means of communication, mints, the currency, weights and measures, disposal of public lands, the diplomatic and consular services, are subject to its rules. It may grant amnesties, but the President alone may grant pardons. Congress also elects the justices of the Supreme Court and lower Federal courts. It may establish professional schools, museums, libraries, and other institutions of learning. It must elect the President when the popular elections result in no choice, and it may also accept his resignation. The Chamber of Deputies supervises the Federal auditor, approves the annual budget, and hears charges against Federal officers, and may bring impeachments before the Senate. The Senate has the exclusive power to approve treaties, ratify if necessary the President's appointments, permit movements of national troops outside the republic, and consent to the presence of foreign fleets for more than a month in Mexican waters. No officer, or body of the government, has authority to permit foreign troops to remain within the republic for any purpose.

Senate: Unusual powers are conceded to the Mexican Senate in the provisions of Article 76, Section 5; it may declare in its discretion that the constitutional authorities of any state in the union have disappeared, and in such case may appoint, by vote of two-thirds of its members present or by its Permanent Committee during the recess, a provisional Governor from a list of three nominated by the President. This Governor shall call a state election, but is not eligible to the governorship himself. This constitutional provision allows presidential control of the states to a remarkable degree; experience has shown that contested state elections have often brought about necessity for intervention of the central government to preserve quiet and protect life and property. Moreover, the stability of the central government itself has frequently been proportionate to its control over the administrative machinery of the several entities.

That the Mexican scheme of government contemplates exercise of great power by Congress is evidenced by the provisions of Articles 78 and 79, which create a Permanent Commission of Congress. This body, composed of fifteen Deputies and fourteen Senators appointed by their respective chambers just before adjournment, is the repository, during recess, of the war powers of Congress; it administers oaths of office to proper recipients of the executive and judicial powers when necessary; it may withhold approval of appointments to the diplomatic and consular service; it prepares programs of business for the approaching regular congressional sessions, and it may call extraordinary sessions whenever malfeasance by executive secretaries, judicial officers, or state governors shall have brought about actions of impeachment. In such cases, the extraordinary sessions are limited to the impeachment trials indicated. This admirable provision gives the legislative branch a highly desirable independence in the situations specified, or would do in actuality if it were not for the fact that in spirit, if not in form, the government is largely premised upon military control wielded by the executive. The executive strives to control the composition of the commission.

The Powers of the President: Mexico is still under the influence of the old colonial tradition of one-man power, of the irresponsible vicerealty, in spite of the many constitutional provisions which check in theory the powers of the chief executive. The President must be a Mexican, son of Mexican-born parents, in full enjoyment of all his legal rights, over thirty-five years of age when elected, must have resided within the republic for the whole year just prior to his election, and must not belong to any ecclesiastical order or be a minister of any religious faith. Attempt to prevent military control is seen in the provision that the President, if an army man, must have left active service ninety days before the election. Attempt to prevent govern-

mental machinations to control elections is seen in the proviso that candidates who are chief officers of the executive departments must resign ninety days prior to their election as President; and an effort to vitiate attempts at renovation of the executive power by the time-honored *cuartelazo* or *coup d'état* resides in the provision that the President must not have taken part in any such activity.

The Office of Vice-President does not exist; it has proven unsatisfactory in Mexico. Its existence was the immediate cause of many of the egoistical *cuartelazos* of the first quarter century after Independence, and its trial under Diaz to provide mechanism for a legitimate succession made it lastingly unpopular. The character of the office is alien to the spirit of Mexican government. The succession in case of disability was, under the Constitution of 1857, reposed in the Chief Justice of the Supreme Court. But under the existing basic law the new executive, in case of permanent disability of the President, is chosen temporarily, pending general popular elections, by secret majority ballot of the entire membership of Congress. This is in case the vacancy occurs during the first two years of the current term; if it occurs during the last two years, the choice of the Congress is permanent for the current term. If Congress is not in session at the time of the exigency, the Permanent Commission chooses an *ad interim* executive to serve until Congress, at once assembled for the purpose, can act. The *ad interim* executive cannot be made the regular one.

The Veto Power of the President is similar to the American control of legislation, and his further power over government policy is openly avowed in his prerogative of initiating legislation. This is done by the presentation in Congress of *projectos de leyes* or bills prepared by the secretaries of the executive departments concerned. This is an admirable provision which makes of each secretariat a bill-framing bureau within its own program, and tends to insure unity of purpose. The presidential powers are further enhanced by the grant of powers to enforce the sanitary laws, to control public expenditures, to revoke franchises, forfeit land grants and expel alleged pernicious foreigners by executive order merely, under the noteworthy Article 33. The supremacy of the President really resides, however, in his "Constitutional" prerogative of suspending at any time of public danger or emergency, any provisions of the Bill of Rights or other guarantees which hinder meeting the situation promptly and readily. This is the essence of the one-man power in Mexico. Even in the case of necessity for enacting enabling laws putting into effect the constitutional provisions, the power of the President to issue decrees pending congressional action gives him, especially in case of the inability or unwillingness of Con-

gress to pass constructive legislation, an autocratic power which militates against stability of government while seeming to increase it temporarily. Most of the phases of international perplexity to which the Mexican government is at present the prey are traceable to this peculiarity of legislative power enjoyed by the supreme executive. This is the logical consequence of the inexperience of the legislative branch and the consequent liability to unsupported executive activity.

The Executive Departments: The President is assisted by executive secretaries who are chiefs of their ministries or secretariats and constitute his official advisers, though there has grown up no actual cabinet system like that in vogue extra-constitutionally in the United States. The ministers of the departments are appointed by the President and are responsible to him and removable by him at discretion.

The **Secretariat of State** is known as the *Secretaría de Relaciones Exteriores*. It has charge of all diplomatic and consular affairs; it manages the negotiations of all treaties and other international agreements, and handles boundary and other disputes. The secretary is custodian of the grand seal of the republic and of the archives of the government.

The **Secretariat of the Interior** is known as the *Secretaría de Gobernación*. It is the most important of the domestic ministries. This office controls the administration of the Federal District and the two territories. It has charge of federal elections, controls immigration, public charities, sanitation, the national printing office, and the daily official bulletin (*Diario Oficial*).

The **Secretariat of Justice** has control of the Supreme Court, the three Circuit and thirty-two District courts, and the numerous courts of the states, territories and the Federal District. The eleven judges of the Supreme Court and four supernumerary justices are elected by indirect popular vote for a term of six years. An *iniciativa de ley* (bill) was presented in the Senate, July 28, 1921, amending Articles 94 and 96 of the Constitution, raising the number of Supreme Court judges to twenty-nine and providing that they shall sit *en banc* or in three chambers. They are to be elected by Congress from lists proposed by the state legislatures.

The **Secretariat of Public Instruction and Belles Arts** was created by the first amendment to the Constitution of 1917, enacted and proclaimed in July, 1921. This secretariat when organized will have supervision over the educational institutions of the Federal District, and of the territories, and it also will have charge of new establishments for higher instruction in the states. The new organization of this secretariat will make it an efficient

cooperator with the best educational endeavors of the local entities without bringing it into conflict with them in any way. The activities of the department are unusually wide. It controls the Academy of Fine Arts, the Conservatory of Music and Declamation, the National Pathological Institute, and many learned societies fostered by the nation. It also has charge of a growing system of public libraries, of numerous phases of public amusements, and of the preservation of many historical and archaeological monuments. The chief educational institution is the National University reorganized in 1910. It has five professional faculties, and occupies a position of growing influence in the intellectual life of the nation.

The **Secretariat of Industry, Commerce, and Labor** has wide influence. Its activities are as diverse as its name indicates, and it publishes numerous government bulletins concerning national interests in commerce and industry. The situation regarding industry and labor will be considered in a later place.

The **Secretariat of Agriculture and Fomento** is a highly organized department, charged with some of the most important work being done in the republic. The most noteworthy bureaus of this secretariat are called Direcciones. The Dirección Agraria has sub-departments for lands, colonization, and the grand register of real estate. It is the ideal of the government to obtain ultimately a public record of all titles to real estate within the republic. The Dirección de Agricultura has five sub-departments: Propaganda and Agricultural Statistics, Education, Experimental Agricultural Studies, Zoötechnology, and Agricultural Parasitology. The Dirección de Aguas is concerned with water grants and irrigation development. The Dirección of Forestry, Hunting and Fisheries maintains sub-departments of Forestry, National Forestry School, Islands, and of Hunting and Fisheries. The Dirección of Geographical Studies and Climatology controls the Geographic Commission (which has produced a number of excellent maps and an atlas of the republic), a Department of Astronomical Observatories, and a Department of Meteorological and Seismological Observatories. The Dirección of Biological Studies controls a Museum of Natural History. The Dirección of Statistics is engaged in producing a new national census for the Centennial year, 1921. It maintains several sections, including one of Agriculture and one of Industry and Commerce.

The Dirección of Anthropology maintains exhibits portraying the cultural status of various indigenous groups of Mexican Indians. It has been in charge of the reconstruction of such noteworthy vestiges of early Mexican civilizations as the Great Temple of Tenochtitlán, the dead city of Teotihuacán, and other aboriginal monuments scattered about the southern part of Mexico. The Secretariat of Agriculture and Fomento has issued a

bulletin briefly describing a part of its activities. The National Agrarian Commission is dependent directly upon the Presidency of the Republic and not upon this Secretariat. The Caja de Préstamos, under this Secretariat, has under process the liquidation of the debts that were incurred by loans made by it under the Diaz régime.

The **Secretariat of Communications and Public Works** has power to regulate the railways whether national or private, street railways and tramways, the numerous telegraph and telephone systems, cables, and wireless stations, and the mails. It is charged with maintenance and improvement of public roads, bridges, harbors, etc. This Secretariat also controls the public buildings of the nation and manages new constructions.

The **Secretariat of Finance** (Hacienda) collects all national taxes and contributions, has charge of all custom houses, mints, and assaying offices. It has been recently much concerned with framing a new banking law and with issue of permits to new banking institutions. The predominant interest of the Federal government in the taxation system gives this Secretariat greater importance than usually belongs to treasury departments elsewhere.

The **Secretariat of War and Marine** has control of the national defenses and of maintenance of the various military and naval training schools. Under this department a Comisión Revisora de Hojas de Servicios is laboring toward the reduction of the national army, a task full of thorny problems but of paramount necessity for the sake of improving the condition of the treasury and restoring the country to stable conditions.

The **Judicial System**, the organization of which has been already briefly alluded to, is interesting because it is so closely restricted by constitutional provisions which are usually left to statutes or rules of court. A special feature of Mexican jurisprudence is the development of the writ of *amparo* as the highest form of redress of grievances against individual guarantees. This writ has been described by an eminent American jurisconsult as "combining the functions of habeas corpus, mandamus, sequestration, injunction, and writ of prohibition." (Burges.) It is applicable in both civil and criminal actions, and is not subject to legislative or executive interference, except of course in case of suspension of constitutional guarantees. It is intended to be invoked against alleged aggressions by administrative acts. Its efficacy depends of course upon the independence of the courts. These have been, unfortunately, noteworthily as frequently dependent upon executive interference, and the system of indirect election of judges has not served to eliminate apprehension that judicial decisions may follow more closely the dic-

tates of public policy than of abstract legal right. The trite criticism of American courts of justice, that they are notoriously slow and uncertain, is applicable in accentuated measure to Mexican courts. The saying of Justo Sierra in 1892, "The people are hungering and thirsting for justice," is as true today as when written.

There is one point in Mexican legal procedure concerning which some misapprehension exists among foreigners who have to deal with court decisions. It is held sometimes that the development of the rule of precedent is prohibited by the constitutional provision that legal decisions, in cases of *amparo* invoked against administrative acts, shall be confined to affording individual protection in actions, and shall make no general statement as to the law or the act complained of. This provision means only that each individual case must be plead and proven in court; the development of a jurisprudence is not thereby prevented, but previous decisions are illuminative rather than conclusive. The absence of a satisfactory jurisprudence in Mexico is, according to the Mexican juriconsult, Sodi, rather due to the inconsequentiality of decisions because of executive interference and ignorance than to anything inherent in the system itself. The Supreme Court decrees are used in arguments and, where they are consistent, constitute bases of precedent which contribute toward the development of a genuine jurisprudence.

The Relation of the Mexican States to the Union has sometimes been uncertain and often variable. Mexico is in reality far less a Federal republic than is the United States of America. It must be remembered that Mexico was centrally administered as a Spanish colony, and continued so to be administered during a large portion of her republican existence. Even under the so-called Federal organization, the economic and social preponderance of Mexico City has militated against wide distribution of governmental functions. Constitutionally, the Mexican states are limited almost in all the ways American states are limited, with the addition of other restrictions arising from the increased autonomy of the municipality, and from the federal control of most taxes and other affairs usually considered domestic.

By far the most interesting provisions of the new Constitution are contained in the now famous *Article Twenty-Seven*, a part of the "Bill of Rights." This article is a declaration of the original national proprietorship over all lands and waters, and of the national right to create private property as the government sees fit. By an extension of the theory of eminent domain, reassumption of national ownership of lands or waters previously transmitted to private ownership was declared to be the purpose of the government. This was intended to legalize resumption of government control over lands which had irregularly

ceased to be waste or national and which were to be resumed for redistribution in the interests of the general public welfare. It was also intended to provide an opportunity for reassumption of national control over petroleum-producing lands which had passed into private control. Under conditions well known but of too recent political importance to admit of adequate discussion in such a place as this, the Mexican government has receded from the attitude as indicated, and numerous statements have been made to the effect that no "retroactive" application of the constitutional provision will be made. The national Congress will, it is anticipated, make an effort so to modify the Article in question as to prevent its inoperation retroactively from serving as a stultification of its declared purpose. Progress toward this congressional move has frequently been presaged in news dispatches. Recent judicial opinion has declared against the retroactivity of the Article. It is to be noted that it is provided in this Article that certain restrictions on owning of property by foreigners are now made a part of the national Constitution. It is not the case, as has been often asserted, that these restrictions are an innovation in Mexican legislation. Their general purport was contained in the proposals which were made for American investment in the Tehuantepec region in 1843, and the same provisions were made a part of the Civil Code which was framed in 1894. The constitutional requirements now in force are as follows:

"Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the Department of Foreign Affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their governments in respect to the same, under penalty, in case of breach, of forfeiture to the nation of property so acquired. Within a zone of one hundred kilometers from the frontiers, and of fifty kilometers from the seacoast, no foreigner shall under any condition acquire direct ownership of lands and waters." This provision has been invoked in the case of transfer of a piece of property from a foreigner to an heir, when the property in question was merely transferred as a gift. It is to be doubted whether such partial abnegation of the rights of foreigners to make representations to their governments would be considered to have binding force upon any such foreign government in case it should be disregarded by aggrieved foreigners possessing property rights in Mexico. That is to say, the validity in actual practice of this attempt to override the established practice of international relations would depend upon the acquiescence of foreign chancellories or upon the degree of force with

which the Mexican government chose to back up its Constitution in diplomatic conversations or otherwise.

The *general clause of confiscation* embodied in the same article says furthermore:

"All contracts and concessions made by former governments from and after the year 1876, which shall have resulted in the monopoly of land, waters, and natural resources of the nation by a single individual or corporation, are declared subject to revision, and the executive is authorized to declare those null and void which seriously prejudice the public interests."

When it is remembered that the greater part of the industrial development of Mexico, and most of the exploitation of natural resources, have been brought about by transfers since 1876, it will be seen that the entire economic situation in the country is dependent, not upon rules of equity or the decisions of courts of justice, but upon the vicissitudes of executive will and opinion. What an executive may consider as monopoly, or what may be deemed an injury to the public is thus likely to be a matter of changing opinion which is certain to make investments for long terms of large sums of capital somewhat hazardous, whether the question is raised concerning Mexicans or foreigners. As a matter of fact, enormous properties which were embargoed during the first two years of the revolution have been offered and advertised by the Department of Hacienda for return to their lawful owners. Many of these have as yet declined to come forward to reassume proprietorship, because of varying considerations. It may be safely asserted that this constitutional provision is one of the most potent causes of the feeling of hesitancy and uncertainty which pervades property-owning classes throughout the republic. The benevolent attitude of the present government toward vested rights will require the enactment of constitutional provisions guaranteeing the stability of property rights before an epoch of settled development is likely to return to the republic. At the same time it must be remembered that inveterate wrongs in property relationships are the direct cause of this attempt at remedial legislation. Those persons who believe that a simple return to the conditions and policies of the Diaz régime will satisfy the nation's demands for social progress and political stability are self-deceived. The attempt of the revolution to remedy old wrongs and to create opportunity for the development of the masses was the result of a genuine aspiration on the part of many sincere Mexicans. That the policy has been largely vitiated by impractical legislation intended to produce "the greatest good to the greatest number," and that the administrative machinery has been clogged by the dishonesty of certain civil and military officers whose egoism has defeated the purposes of the revolution, do not constitute proof that there is no social

movement in Mexico. The radicalism of reformers and the speculations of politicians will inevitably give way to respect for life and property and bring about a development of just conditions rather than a return to old abuses.

The Position of Religion under the revolutionary governments has created wide interest. Outside of the small fraction of the population now in control of the government, and indeed very largely even within that group, the citizens of Mexico are preponderantly religious. The anti-clericalism of the last two régimes has been directed against social and economic abuses which characterize the church in Mexico, rather than against religion as a dominant social force. The people of Mexico are essentially Roman Catholic, but the determination to effect the utter separation of the church from economic and political control is as strong as the language of the Constitution. This does, however, prohibit the normal functioning of the church as a spiritual guide to the people except by governmental tolerance, which is too prone to be variable from administration to administration. The disabilities to own properties, and to carry on religious work, which theoretically limit the activities not only of the Catholics, but of Protestant missions in Mexico, create another situation in which progress in social work among the middle classes is dependent upon executive clemency. It is true that generous appreciation of the work of the Protestant missions has characterized the governmental attitude during recent years, and it is likely that this attitude will be permanent, and that the influence of the mission work will increase in proportion as the service lends itself to education in hygiene, sanitation, agriculture, and elements of culture rather than in religious discipline. There is every reason for generous cooperation of all religious bodies of whatever faith in the work of improving standards of life and living among the masses.

The Status of Labor is unique under the actual government. The social tradition from time immemorial has been that of sharp contrast, abysmal cleavage, between the privileged few and the submerged masses. Independence, the constant declination of the pendulum toward radicalism, toward the inauguration of untried political nostrums, toward the newest extreme in the most recent ultra-liberal theory, have as yet made little headway against this unfortunate social cleavage. But the present Constitution makes a desperate effort to correct the evil, with results that are as yet disturbing to the social organization and the economic outlook. The provisions of the fundamental law on labor are dangerous, not so much because of the ideals sought, as because of lack of discrimination in details or of wisdom in methods employed. Some of these provisions are admirable in spirit. For instance, eight hours is the maximum day's work, seven the

maximum for night work. Special protection is provided for women and children laborers; rest and recuperation periods are prescribed for women in parturition. These provisions are to apply not only in factories, but in domestic work. The minimum wage is set at the level of subsistence for a head of a family. Participation in profits is made a constitutional prerogative of labor. Where effort has been made, as in Vera Cruz, to apply this rule by state law, the results have been to discourage and exile capital. Extra-time work commands double wages. Many employers must provide comfortable, sanitary houses, pay wages in cash, establish schools, dispensaries, and markets, and places of amusement. Accidents must be forefended, and compensation made for those which occur. Liberal legalization is granted to strikes devoid of violence. Arbitration of disputes gives large balance of advantage to workingmen. In short, the Constitution attempts to legislate the laboring classes into a suitable standard of living in every conceivable respect. Unfortunately government fiat alone cannot create social conditions. Many of the provisions of the Constitution safeguarding the rights of labor cannot be enforced for years to come. But the laboring classes have undergone a general upheaval during the past years of revolution, and their aspirations, as voiced by their leaders, some of whom have high seats in the government of today, are by no means bounded by their theoretical constitutional guarantees. A social ferment has been started, fed upon real wrongs, which seeks redress in ways dangerous to the stability of society. The most dangerous element in labor circles is that which has attained the greatest development of technical skill. Unfortunately, there is little prevalent conviction that the emancipation of the masses has any other social significance than that of a mere political shibboleth, an open sesame to the public treasury on the part of its protagonists. The way toward national integrity, social, political, economic, lies not along the path of class prejudice, economic and political intolerance, but along the program of surcharging the laboring classes of Mexico with redoubled energy, renewed devotion to labor as a saving social grace, and an aroused public conscience which shall direct the great wealth of the public revenues into the coffers of the nation, to be expended in ways that shall benefit the whole people rather than privileged groups of office holders. Once public honesty, as demanded by President Obregón, becomes the characteristic of public administration, the enlightened public opinion of the continent will assent eagerly to legitimate national control of natural resources, industry, commerce, and exploitation. The path to stability is clearly pointed out.

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SECRETARIES OF STATE¹

GOBERNACION

Secretary..... General Plutarco Elías Calles
 Sub-Secretary..... Sr. Lic. don José Inocente Lugo

RELACIONES

Secretary..... Sr. Ing. don Alberto J. Pani
 Sub-Secretary..... Sr. Aaron Sáenz

HACIENDA Y CREDITO PUBLICO

Secretary..... Sr. don Adolfo de la Huerta
 Sub-Secretary.....

GUERRA Y MARINA

Secretary..... Sr. Gral Enrique Estrada
 Sub-Secretary..... Sr. Gral. F. R. Serrano

AGRICULTURA Y FOMENTO

Secretary..... Sr. Gral don Antonio I. Villarreal
 Sub-Secretary..... Sr. Fortunato Dozal

COMUNICACIONES Y OBRAS PUBLICAS

Secretary..... Gral. Amado Aguirre
 Sub-Secretary..... Sr. Ing. Faustino Roel

INDUSTRIA Y COMERCIO

Secretary..... Lic. Rafael Zubáran Capmany
 Sub-Secretary..... Lic. Luis N. Rubalcava

STATE GOVERNORS¹

Aguascalientes..... Rafael A. Valle
 Campeche..... Dr. G. Ferrer, Provisional
 Coahuila..... Gral. Luis Gutiérrez, Cnst. Int.
 Colima..... Miguel Alvarez García
 Chiapas..... Gral. Tiburcio Fernández Ruiz
 Chihuahua..... Gral. Ignacio Enríquez
 Durango..... Gral. J. A. Castro
 Guanajuato..... Ingeniero Antonio Madrazo
 Guerrero..... Rodolfo Neri
 Hidalgo..... Gral. Amado Azuara
 Jalisco..... Prof. Basilio Vadillo
 Mexico..... Manuel Campos Mena
 Michoacán..... Francisco J. Mujica
 Morelos..... Dr. José G. Parres, Provisional
 Nayarit..... J. Santos Godínez
 Nuevo León..... Juan M. García
 Oaxaca..... Gral. Manuel García Vigil
 Puebla..... José María Sánchez, Const.
 Querétaro..... Lic. José Ma. Truchuelo
 San Luis Potosí..... Rafael Nieto
 Sinaloa..... Gral. Angel Flores
 Sonora..... Francisco Elías, Const. Int.
 Tabasco..... Lic. Tomás Garrido Const. Int.
 Tamaulipas..... Gral. César López de Lara
 Tlaxcala..... Rafael Apango
 Veracruz..... Cor. Adalberto Tejeda
 Yucatán..... Manuel Berzunza, Const. Int.
 Zacatecas..... Dr. Donato Moreno
 Distrito Federal..... Celestino Gasca
 Partido Norte, B. C..... Epigmenes Ibarra
 Partido Sur, B. C..... Agustín Arriola, Jr.
 Quintana Roo..... Mayor, Librado Abitia

¹As of October, 1921. Since that date Sr. Villarreal has resigned. Dr. José Vasconcelos has recently been appointed Secretary of Public Instruction.

FOREWORD TO THE MEXICAN CONSTITUTION OF 1917

The present Mexican Constitution was promulgated on February 5, 1917, and became effective on May 1 of the same year. The validity of the document has been called into question. Its caption recites that it "amends the constitution of 1857." Article 128 of the latter document specifically provided that "this constitution shall not lose its force and vigor, even though its operation be interrupted by rebellion." Article 127 of the same document prescribed the method by which it might be amended, namely, congressional action and ratification by a majority of the state legislatures. This procedure was not observed. Instead, a constitutional convention was summoned. Furthermore, this assembly was not representative of the Mexican people, for the call limited the right to vote for delegates to those persons that had taken part in the constitutionalist revolution. Whatever validity the instrument has, must perforce rest on the right of revolution. On the other hand, federal and state authorities continue to be elected and to function under it, and the courts to administer it as the law of the land. So long, therefore, as this condition subsists, the legality of the instrument must remain largely an academic question.

Framed at a time when the most advanced theories of socialism and even communism were predominant, the constitution of 1917 bears unmistakable marks of these doctrines. These extreme views are reflected chiefly in the provisions relating to property and labor. Thus, Article 5 establishes as one of the inherent rights of man complete freedom in the exercise of all lawful activities, forbidding labor contracts of more than one year's duration and those that entail the renunciation of the politico-social status of the working man. Article 28 vests in the federal government control of all telegraphic and radio-telegraphic services, and places the right to issue bank bills in a single institution under federal control. The same article forbids "the cornering of necessities for the purpose of bringing about a rise in prices," and, in general, any combination or agreement in restraint of trade, labor associations being exempted from this limitation. One whole title (Article 123) is devoted to a minute regulation of labor not usually found in constitutions. It provides for a maximum of eight hours of work; establishes boards of conciliation and arbitration; recognizes the right to strike; contemplates social insurance, old age pensions, etc. In a word, it seeks to regulate all those intricate relations between employer and employee which the complexity of modern industrialism makes so difficult to adjust satisfactorily. But it is Article 27 which, like Article 10 of the League of Nations, may be said to be the "heart" of the document. Here the basic principles of the right

of property as they have been recognized from time immemorial by all civilized nations of the world are subverted. Instead, the Article proclaims the principle of the socialization of property and so subjects it to any limitations which the law may see fit to impose. Accordingly, it empowers state legislatures to fix the maximum area of land which any individual may own, and compels the owner to dispose of this excess and to receive, in payment therefor, special bonds guaranteed by the state government, which represent no real value.

The instrument establishes the triple division of government into the legislative, executive and judicial branches which the United States federal constitution first sanctioned. The main precepts of each will be briefly considered.

Contrary to the usual history of constitutional conventions, the powers of the legislative branch are here substantially curtailed. The reason for this is probably to be found in the desire to remedy an admitted defect of the 1857 constitution which placed the executive virtually at the mercy of congress by authorizing his impeachment by a mere majority. The determination of First Chief Carranza to subordinate the legislature wholly to his will was no doubt also a factor. Thus, the regular sessions of congress are limited to a single term, opening on September 1st and closing on December 31st. Again, neither Congress nor the Standing Committee—a body of fifteen representatives and fourteen senators who act during the recesses of Congress—may issue a call for extraordinary sessions; and even if called by the executive they may consider only the subjects enumerated by the executive in the call. This weakness has already been recognized, and an amendment to permit Congress or the Standing Committee to issue a call for extraordinary sessions is under discussion. Similarly, the extension of the number of regular sessions to two, as provided in the former constitution, seems only a matter of time. On the other hand, in Congress has now been reposed the power to select a substitute or an ad-interim President, in the event of the death or disability of the President; as also to designate the justices of the Supreme Court.

As the attributes of the legislative power have been restricted, so those of the executive branch have been enlarged. The President is virtually non-impeachable, since he may be tried only for high treason and grave offenses of the common order. Accordingly, he may be guilty, with impunity, of any political offense, such as express violation of the constitution and particularly the exercise of undue pressure in state and federal elections. Again, the power he may wield in the event of the suppression by Congress of individual guarantees—a process analogous to the suspension of habeas corpus—is absolute, for the guarantee of life is not excluded from those which may be sus-

pended, as was the case under the prior constitution. An important innovation—and one which does much credit to the convention of 1917—is the power of the veto vested in the President, thereby correcting a grave deficiency in the prior constitution. Another significant change has been the elimination of the vice-presidency which, since its establishment in 1904, has, rightly or wrongly, been regarded as the source of all political strife in Mexico. A vacancy occasioned by the death or disability of the President is now provided for by the designation of an ad-interim or substitute President by Congress, pending a call for presidential elections. The power of the President only to call Congress into extraordinary session, the limitation of the number of regular sessions of Congress to a single term, and the practical immunity of the President from impeachment have virtually created the dictatorship of the executive.

In the judicial branch two salient changes have been made. Firstly, after the year 1923, members of the Supreme Court will hold office for life, subject to good behavior. Secondly, they are no longer chosen by popular ballot, as provided in the 1857 constitution, but are elected from among a list of candidates, one name being submitted by each state legislature. Both innovations mark distinct progress, despite the fact that popular assemblies by their very nature are not so free from political passion and bias as to guarantee a selection to the highest court of the land strictly on the basis of integrity and learning.

It remains only to consider those precepts that especially affect aliens. The constitution of 1917 bears evidence of exaggeratedly nationalistic theories. So, Article 32 provides that "Mexicans shall be preferred to foreigners for all kinds of concessions," and requires Mexican citizenship by birth for members of city councils and even for "captains, pilots, masters and chief engineers of Mexican merchant vessels, as well as for two-thirds of the members of the crew." Under the 1857 constitution, it had been the practice for the executive to expel from the country without judicial appeal any "undesirable" (*pernicioso*) foreigner, the term being construed to mean anarchists, nihilists, etc. This power was, however, subject to whatever legislation Congress might enact on the subject. The 1917 constitution removes all question as to the power of the executive in this regard, since it declares that he shall exercise this power exclusively, with the important addition that he may now expel not alone the "undesirable" but "any foreigner whose presence he may deem inexpedient." In other words, an alien in Mexico is now there on sufferance, subject to the whim of a single official.

The next important class of restrictions relates to the requirement that foreigners, in order to acquire ownership in lands, waters and their appurtenances, and to obtain concessions to de-

velop mines, waters or mineral fuels, must waive before the Department of Foreign Affairs in Mexico the right to invoke the diplomatic protection of their governments in the event of the invasion of their rights. This waiver, under the recognized principles of international law, is held not to bind the government of the nation making it, and has, indeed, been specifically rejected by all the great powers of the world having interests in Mexico. The constitution further stipulates that if, in contravention of this waiver, an alien appeals to his government, he shall forfeit in favor of the nation the property so acquired. Similarly, foreign corporations are forbidden to hold in their own name, concessions to develop any of the natural resources of the country. Lastly, no religious corporation nor minister of a religious creed may establish or direct schools of primary instruction in Mexico (Article 3), while only Mexicans by birth may be ministers of any religious creed. (Article 30.)

In a word, the constitution of 1917, conceived in the heat of internecine strife and of extreme communistic theories, seeks to create a state socialism where property rights, as recognized from time immemorial, are subverted, where freedom of conscience is restricted, and where hostility to foreigners and foreign enterprise everywhere appears.

THE CONSTITUTION OF 1917

Signed January 31, 1917; Promulgated February 5, 1917; Effective May 1, 1917

Translated by H. N. BRANCH, LL.B.

TITLE I

CHAPTER I

Of Personal Guarantees

Article 1. Every person in the United States of Mexico shall enjoy the guarantees granted by this Constitution; these shall neither be abridged nor suspended except in such cases and under such conditions as are herein provided.

Art. 2. Slavery is forbidden in the United States of Mexico. Slaves who enter the national territory from abroad shall, by this act alone, recover their freedom, and enjoy the protection of the law.

Art. 3. Instruction is free; that given in public institutions of learning shall be secular. Primary instruction, whether higher or lower, given in private institutions shall likewise be secular.

No religious corporation nor minister of any creed shall establish or direct schools of primary instruction.

Private primary schools may be established only subject to official supervision.

Primary instruction in public institutions shall be gratuitous.

Art. 4. No person shall be prevented from engaging in any profession, industrial or commercial pursuit or occupation of his liking, provided it be lawful. The exercise of this liberty shall only be forbidden by judicial order when the rights of third persons are infringed, or by executive order, issued under the conditions prescribed by law, when the rights of society are violated. No one shall be deprived of the fruit of his labor except by judicial decree.

Each state shall determine by law what professions shall require licenses, the requisites to be complied with in obtaining the same, and the authorities empowered to issue them.

Art. 5. No one shall be compelled to render personal services without due compensation and without his full consent, excepting labor imposed as a penalty by judicial decree, which shall conform to the provisions of clauses I and II of Article 123.

Only the following public services shall be obligatory, subject to the conditions set forth in the respective laws: military service, jury service, service in municipal and other public elective office, whether this election be direct or indirect, and service in connection with elections, which shall be obligatory and without compensation.

The State shall not permit any contract, covenant or agreement to be carried out having for its object the abridgment, loss or irrevocable sacrifice of the liberty of man, whether by reason of labor, education or religious vows. The law, therefore, does not permit the establishment of monastic orders, of whatever denomination, or for whatever purpose contemplated.

Nor shall any person legally agree to his own proscription or exile, or to the temporary or permanent renunciation of the exercise of any profession or industrial or commercial pursuit.

A contract for labor shall only be binding to render the services agreed upon for the time fixed by law and shall not exceed one year to the prejudice of the party rendering the service; nor shall it in any case whatsoever embrace the waiver, loss or abridgment of any political or civil right.

In the event of a breach of such contract on the part of the party pledging himself to render the service, the said party shall only be liable civilly for damages arising from such breach, and in no event shall coercion against his person be employed.

Art. 6. The expression of ideas shall not be the subject of any judicial or executive investigation, unless it offend good morals, impair the rights of third parties, incite to crime or cause a breach of the peace.

Art. 7. Freedom of writing and publishing writings on any subject is inviolable. No law or authority shall have the right to establish censorship, require bond from authors or printers, nor restrict the liberty of the press, which shall be limited only by the respect due to private life, morals and the public peace. Under no circumstances shall a printing press be sequestered as the *corpus delicti*.

The organic laws shall prescribe whatever provisions may be necessary to prevent the imprisonment, under pretext of a denunciation of offenses of the press, of the vendors, newsboys, workmen and other employees of the establishment publishing the writing denounced, unless their liability be previously established.

Art. 8. Public officials and employees shall respect the exercise of the right of petition, provided it be formulated in writing and in a peaceful and respectful manner; but this right may be exercised in political matters solely by citizens.

On every petition there shall be given a ruling by the official to whom it may be addressed, and the said official shall be bound to inform the petitioner of such ruling within a brief period.

Art. 9. The right peaceably to assemble or to come together for any lawful purpose shall not be abridged; but only citizens shall be permitted to exercise this right for the purpose of taking part in the political affairs of the country. No armed assembly shall have the right to deliberate.

No meeting or assembly shall be deemed unlawful, nor may it be dissolved, which shall have for its purpose the petitioning or presenting of any protest against any act to an authority, provided no insults be proffered against the said authority, nor violence resorted to, nor threats used to intimidate or to compel the said authority to render a favorable decision.

Art. 10. The inhabitants of the United States of Mexico are entitled to have arms of any kind in their possession for their protection and legitimate defense, excepting such as are expressly prohibited by law and such as the nation may reserve for the exclusive use of the army, navy and national guard; but they shall not bear such arms within inhabited places, except subject to the police regulations thereof.

Art. 11. Every one has the right to enter and leave the Republic, to travel through its territory and change his residence without necessity of a letter of security, passport, safe conduct or any other similar requirement. The exercise of this right shall be subordinated to the powers of the judiciary, in the event of civil or criminal liability, and to those of the executive, in so far as relates to the limitations imposed by law in regard to emigration, immigration, and the public health of the country, or in regard to undesirable foreigners resident in the country.

Art. 12. No titles of nobility, prerogatives or hereditary honors shall be granted in the United States of Mexico, nor shall any effect be given to those granted by other countries.

Art. 13. No one shall be tried according to private laws or by special tribunals. No person or corporation shall have privileges nor enjoy emoluments which are not in compensation for public services and established by law. Military jurisdiction shall subsist for crimes and offenses against military discipline, but the military tribunals shall in no case and for no reason extend their jurisdiction over persons not belonging to the army.

Whenever a civilian shall be implicated in any military crime or offense, the cause shall be heard by the corresponding civil authorities.

Art. 14. No law shall be given retroactive effect to the prejudice of any person whatsoever.

No person shall be deprived of life, liberty, property, possessions or rights except by means of a suit instituted before a previously created court, in which the essential elements of procedure are observed and in accordance with laws enacted prior to the act.

In criminal cases no penalty shall be imposed by mere analogy or even by *a priori* evidence, but the penalty shall be decreed by a law in every respect applicable to the crime in question.

In civil suits the final judgment shall be according to the letter or the juridical interpretation of the law; in the absence of the latter, the general principles of law shall govern.

Art. 15. No treaty shall be authorized for the extradition of political offenders, or of offenders of the common class, who have been slaves in the country where the offense was committed. Nor shall any agreement or treaty be entered into which abridges or modifies the guarantees and rights which this Constitution grants to the individual and to the citizen.

Art. 16. No one shall be molested in his person, family, domicile, papers or possessions, except by virtue of an order in writing of the competent authority setting forth the legal ground and justification for the action taken. No order of arrest or detention shall be issued against any person other than by competent judicial authority, nor unless preceded by a charge, accusation or complaint for a specific offense punishable by imprisonment, supported by an affidavit of a credible party or by such other evidence as shall make the guilt of the accused probable; in cases in *flagrante delicto* any person may arrest the offender and his accomplices, placing them without delay at the disposition of the nearest authorities. Only in urgent cases instituted by the public attorney without previous complaint or indictment and when there is no judicial authority available may the administrative authorities, on their strictest accountability, order the detention of the accused, placing him at the disposition of the judicial authorities. Every search warrant, which may only be issued by the judicial authority and which must be in writing, shall specify the place to be searched, the person or persons to be arrested and the objects sought, to which the proceeding shall be strictly limited; at the conclusion of which, a detailed written statement shall be drawn up in the presence of two witnesses proposed by the occupant of the place searched, or, in his absence or refusal, by the officer making the search.

Administrative officials may enter private houses solely for the purpose of determining that the sanitary and police regulations have been complied with; they may likewise demand the exhibition of books and documents necessary to prove that the fiscal regulations have been obeyed, subject to the respective laws and to the formalities prescribed for cases of search.

Art. 17. No one shall be imprisoned for debts of a purely civil character. No one shall take the law into his own hands, nor resort to violence in the enforcement of his rights. The courts shall be open for the administration of justice at such times and under such conditions as the law may establish; their services shall be gratuitous and all judicial costs are accordingly prohibited.

Art. 18. Detention shall be exercised only for offenses meriting corporal punishment. The place of detention shall be different and completely separated from that set apart for the serving of sentences.

The Federal and State Governments shall organize in their respective territories the penal system—penal colonies, penitentiaries or prisons—on the basis of labor as a means of regeneration.

Art. 19. No detention shall exceed three days except for reasons specified in the formal order of commitment, which shall set forth the offense charged, the substance thereof, the time, place and circumstances of its commission, and the facts disclosed in the preliminary examination; these facts must always be sufficient to establish the corpus delicti and the probable guilt of the accused. All authorities ordering any detention or consenting thereto, as well as all agents, subordinates, wardens or jailers executing the same, shall be liable for any breach of this provision.

The trial shall take place only for the offense or offenses set forth in the formal order of commitment. If it shall develop in the course of trial that another offense different from that charged has been committed, a separate accusation must be brought. This, however, shall not prevent the joinder of both causes of action, if deemed advisable.

Any maltreatment during apprehension or confinement; any molestation inflicted without legal justification; any exaction or contribution levied in prison are abuses which the law shall correct and the authorities repress.

Art. 20. In every criminal trial the accused shall enjoy the following guarantees:

I. He shall be set at liberty on demand and upon giving a bond up to ten thousand pesos, according to his status and the gravity of the offense charged, provided, however, that the said offense shall not be punishable with more than five years' imprisonment; he shall be set at liberty without any further requisite than the placing of the stipulated sum at the disposal of the proper authorities or the giving of an adequate mortgage bond or personal security.

II. He may not be forced to be a witness against himself; wherefore denial of access or other means looking towards this end is hereby strictly prohibited.

III. He shall be publicly notified within forty-eight hours after being turned over to the judicial authorities of the name of his accuser and of the nature of and grounds of the accusation, so that he may be familiar with the offense with which he is charged, may reply thereto and make his preliminary statement.

IV. He shall be confronted with the witnesses against him, who shall testify in his presence if they are to be found in the place where the trial is being held, so that he may cross-examine them in his defense.

V. All witnesses which he shall offer shall be heard in his defense, as well as all evidence received, for which he shall be given such time as the law may prescribe; he shall furthermore be assisted in securing the presence of any person or persons whose testimony he may request, provided they are to be found at the place of trial.

VI. He shall be entitled to a public trial by a judge or jury of citizens who can read and write and are also citizens of the place and district where the offense shall have been committed, provided the penalty for such offense be greater than one year's imprisonment. The accused shall always be entitled to trial by jury for all offenses committed by means of the press against the public peace or against the safety, domestic or foreign, of the Republic.

VII. He shall be furnished with all information of record needed for his defense.

VIII. He shall be tried within four months, if charged with an offense the maximum penalty for which does not exceed two years' imprisonment, and within one year, if the maximum penalty be greater.

IX. He shall be heard in his own defense, either personally or by counsel, or by both, as he may desire. In case he shall have no one to defend him, a list of official counsel shall be submitted to him in order that he may choose one or more to act in his defense. If the accused shall not desire to name any counsel for his defense, after having been called upon to do so at the time of his preliminary examination, the court shall

appoint counsel to defend him. The accused may name his counsel immediately on arrest and shall be entitled to have him present at every stage of the trial; but he shall be bound to make him appear as often as required by the court.

X. In no event may imprisonment or detention be extended through failure to pay counsel fees or through any other pecuniary charge, by virtue of any civil liability or other similar cause. Nor shall detention be extended beyond the time set by law as the maximum for the offense charged.

The period of detention shall be reckoned as a part of the final sentence.

Art. 21. The imposition of penalties is an exclusive attribute of the judiciary. The prosecution of offenses belongs to the public prosecutor and to the judicial police, who shall be under the immediate command and authority of the public prosecutor. The punishment of violations of municipal and police regulations belongs to the administrative authorities, and shall consist only of a fine or of imprisonment not exceeding thirty-six hours. Should the offender fail to pay the fine this shall be substituted by the corresponding period of arrest, which shall in no case exceed fifteen days.

Should the offender be a workman or day laborer, he shall not be punished with a fine greater than the amount of his weekly or daily wage.

Art. 22. Punishments by mutilation and infamy, by branding, flogging, beating with sticks, torture of any kind, excessive fines, confiscation of property and any other penalties, unusual or working corruption of the blood, are prohibited.

Attachment proceedings of the whole or part of the property of any person made under judicial authority to cover any civil liability arising out of the commission of any offense, or by reason of the imposition of any tax or fine, shall not be deemed a confiscation of property.

Capital punishment is likewise forbidden for all political offenses; in the case of offenses other than political it shall only be imposed for high treason committed during a foreign war, parricide, murder with malice aforethought, arson, abduction, highway robbery, piracy, and grave military offenses.

Art. 23. No criminal case shall have more than three instances. No one, whether acquitted or convicted, shall be tried a second time for the same offense. The practice of discharging in one instance is abolished.

Art. 24. Every one is free to embrace the religion of his choice and to practice all ceremonies, devotions or observances of his respective creed, either in places of public worship or at home, provided they do not constitute an offense punishable by law.

Every religious act of public worship shall be performed strictly within the places of public worship, which shall be at all times under governmental supervision.

Art. 25. Sealed correspondence sent through the mails shall be free from search, and its violation shall be punishable by law.

Art. 26. No member of the army shall in time of peace be quartered in private dwellings, without the consent of the owner; nor shall he demand any exaction. In time of war the military may require lodging, equipment, provisions and other assistance, in the manner provided by the corresponding martial law.

Art. 27. The ownership of lands and waters comprised within the limits of the national territory is vested originally in the Nation, which has had, and has, the right to transmit title thereof to private persons, thereby constituting private property.

Private property shall not be expropriated except for reasons of public utility and by means of indemnification.

The Nation shall have at all times the right to impose on private property such limitations as the public interest may demand as well as the right to regulate the enjoyment of natural resources, which are susceptible of appropriation, in order to conserve them and equitably to distribute the public wealth. For this purpose necessary measures shall be taken to divide large landed estates; to develop small landed holdings; to establish new centers of rural population with such lands and waters as may be indispensable to them; to encourage agriculture and to prevent the destruction of natural resources, and to protect property from damage detrimental to society. Pueblos, hamlets situated on private property and settlements which lack lands or water or do not possess them in sufficient quantities for their needs shall have the right to be provided with them from the adjoining properties, always having due regard for small landed holdings. Wherefore, all grants of lands made up to the present time under the decree of January 6, 1915, are confirmed. The acquisition of the private property necessary to carry out the above-mentioned purposes shall be considered as of public utility.

In the Nation is vested the legal ownership of all minerals or substances which in veins, layers, masses, or beds constitute deposits whose nature is different from the components of the land, such as minerals from which metals and metaloids used for industrial purposes are extracted; beds of precious stones, rock salt and salt lakes formed directly by marine waters, products derived from the decomposition of rocks, when their exploitation requires underground work; phosphates which may be used for fertilizers; solid mineral fuels; petroleum and all hydrocarbons—solid, liquid or gaseous.

In the Nation is likewise vested the ownership of the waters of territorial seas to the extent and in the terms fixed by the law of nations; those of lakes and inlets of bays; those of interior lakes of natural formation which are directly connected with permanent waters; those of principal rivers or tributaries from the points at which there is a permanent current of water in their beds to their mouths, whether they flow to the sea or cross two or more states; those of intermittent streams which traverse two or more states in their main body; the waters of rivers, streams, or ravines, when they bound the national territory or that of the states; waters extracted from mines; and the beds and banks of the lakes and streams hereinbefore mentioned, to the extent fixed by law. Any other stream of water not comprised within the foregoing enumeration shall be considered as an integral part of the private property through which it flows; but the enjoyment of the waters when they pass from one landed property to another shall be considered of public utility and shall be subject to the provisions prescribed by the states.

In the cases to which the two foregoing paragraphs refer, the ownership of the Nation is inalienable and may not be lost by prescription; concessions shall be granted by the Federal Government to private parties or civil or commercial corporations organized under the laws of Mexico, on condition that said resources be regularly developed, and on the further condition that the legal provisions be observed.

Legal capacity to acquire ownership of lands and waters of the nation shall be governed by the following provisions:

I. Only Mexicans by birth or naturalization and Mexican associations have the right to acquire ownership in lands, waters and their appurtenances, or to obtain concessions to develop mines, waters or mineral fuels in the Republic of Mexico. The Nation may grant the same right to foreigners, provided they agree before the Department of Foreign Affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their governments in respect to the same, under penalty, in case of breach, of forfeiture to the Nation of property so acquired. Within a zone of 100 kilometers from the frontiers,

and of 50 kilometers from the sea coast, no foreigner shall under any conditions acquire direct ownership of lands and waters.

II. The religious institutions known as churches, irrespective of creed, shall in no case have legal capacity to acquire, hold or administer real property or loans made on such real property; all such real property or loans as may be at present held by the said religious institutions, either on their own behalf or through third parties, shall vest in the Nation, and any one shall have the right to denounce property so held. Presumptive proof shall be sufficient to declare the denunciation well-founded. Places of public worship are the property of the Nation, as represented by the Federal Government, which shall determine which of them may continue to be devoted to their present purposes. Episcopal residences, rectories, seminaries, orphan asylums or collegiate establishments of religious institutions, convents or any other buildings built or designed for the administration, propaganda, or teaching of any religious creed shall forthwith pass, as of full right, to the legal ownership of the Nation, to be used exclusively for the public services of the Federation or of the States, within their respective jurisdictions. All places of public worship which shall later be erected shall be the property of the Nation.

III. Public and private charitable institutions for the sick and needy, for scientific research, or for the diffusion of knowledge, mutual aid societies or organizations formed for any other lawful purpose shall in no case acquire, hold or administer loans made on real property, unless the mortgage terms do not exceed ten years. In no case shall institutions of this character be under the patronage, direction, administration, charge or supervision of religious corporations or institutions, nor of ministers of any religious creed or of their dependents, even though either the former or the latter shall not be in active service.

IV. Commercial stock companies shall not acquire, hold, or administer rural properties. Companies of this nature which may be organized to develop any manufacturing, mining, petroleum or other industry, excepting only agricultural industries, may acquire, hold or administer lands only in an area absolutely necessary for their establishments or adequate to serve the purposes indicated, which the Executive of the Union or of the respective State in each case shall determine.

V. Banks duly authorized under the laws governing institutions of credit may make mortgage loans on rural and urban property in accordance with the provisions of the said laws, but they may not own in fee nor administer more real property than that absolutely necessary for their direct purposes.

VI. Properties held in common by co-owners, hamlets situated on private property, pueblos, tribal congregations and other settlements which, as a matter of fact or law, conserve their communal character, shall have legal capacity to enjoy in common the waters, woods and lands belonging to them, or which may have been or shall be restored to them according to the law of January 6, 1915, until such time as the manner of making the division of the lands shall be determined by law.

VII. Excepting the corporations to which clauses III, IV, V and VI hereof refer, no other civil corporation may own in fee or administer on its own behalf real estate or mortgage loans derived therefrom, with the single exception of buildings designed directly and immediately for the purposes of the institution. The States, the Federal District and the Territories, as well as the municipalities throughout the Republic, shall enjoy full legal capacity to acquire and hold all real estate necessary for public services.

The Federal and State laws shall determine within their respective jurisdictions those cases in which the occupation of private property shall be considered of public utility; and in accordance with the said laws the administrative authorities shall make the corresponding declaration. The

amount fixed as compensation for the expropriated property shall be based on the sum at which the said property shall be valued for fiscal purposes in the catastral or revenue offices, whether this value be that manifested by the owner or merely impliedly accepted by reason of the payment of his taxes on such a basis, to which there shall be added ten per cent. The increased value which the property in question may have acquired through improvements made subsequent to the date of the fixing of the fiscal value shall be the only matter subject to expert opinion and to judicial determination. The same procedure shall be observed in respect to objects whose value is not recorded in the revenue offices.

All proceedings, findings, decisions and all operations of demarcation, concession, composition, judgment, compromise, alienation, or auction which may have deprived properties held in common by co-owners, hamlets situated on private property, settlements, congregations, tribes and other settlement organizations still existing since the law of June 25, 1856, of the whole or a part of their lands, woods and waters, are declared null and void; all findings, resolutions and operations which may subsequently take place and produce the same effects shall likewise be null and void. Consequently all lands, forests and waters of which the above-mentioned settlements may have been deprived shall be restored to them according to the decree of January 6, 1915, which shall remain in force as a constitutional law. In case the adjudication of lands, by way of restitution, be not legal in the terms of the said decree, which adjudication have been requested by any of the above entities, those lands shall nevertheless be given to them by way of grant, and they shall in no event fail to receive such as they may need. Only such lands, title to which may have been acquired in the divisions made by virtue of the said law of June 25, 1856, or such as may be held in undisputed ownership for more than ten years are excepted from the provision of nullity, provided their area does not exceed fifty hectares.¹ Any excess over this area shall be returned to the settlement and the owner shall be indemnified. All laws of restitution enacted by virtue of this provision shall be immediately carried into effect by the administrative authorities. Only members of the settlement shall have the right to the lands destined to be divided, and the rights to these lands shall be inalienable so long as they remain undivided; the same provision shall govern the right of ownership after the division has been made. The exercise of the rights pertaining to the Nation by virtue of this article shall follow judicial process; but as a part of this process and by order of the proper tribunals, which order shall be issued within the maximum period of one month, the administrative authorities shall proceed without delay to the occupation, administration, auction, or sale of the lands and waters in question, together with all their appurtenances, and in no case may the acts of the said authorities be set aside until final sentence is handed down.

During the next constitutional term, the Congress and the State Legislatures shall enact laws, within their respective jurisdictions, for the purpose of carrying out the division of large landed estates, subject to the following conditions:

(a) In each State and Territory there shall be fixed the maximum area of land which any one individual or legally organized corporation may own.

(b) The excess of the area thus fixed shall be subdivided by the owner within the period set by the laws of the respective locality; and these subdivisions shall be offered for sale on such conditions as the respective governments shall approve, in accordance with the said laws.

(c) If the owner shall refuse to make the subdivision, this shall be carried out by the local government, by means of expropriation proceedings.

¹ 1 hectare=2.47 acres.

(d) The value of the subdivisions shall be paid in annual amounts sufficient to amortize the principal and interest within a period of not less than twenty years, during which the person acquiring them may not alienate them. The rate of interest shall not exceed five per cent per annum.

(e) The owner shall be bound to receive bonds of a special issue to guarantee the payment of the property expropriated. With this end in view, the Federal Congress shall issue a law authorizing the States to issue bonds to meet their agrarian obligations.

(f) The local laws shall govern the extent of the family patrimony, and determine what property shall constitute the same on the basis of its inalienability; it shall not be subject to attachment nor to any charge whatever.

All contracts and concessions made by former governments from and after the year 1876 which shall have resulted in the monopoly of lands, waters and natural resources of the Nation by a single individual or corporation, are declared subject to revision, and the Executive is authorized to declare those null and void which seriously prejudice the public interest.

Art. 28. There shall be no private nor governmental monopolies of any kind whatsoever in the United States of Mexico; nor exemption from taxation; nor any prohibition even under cover of protection to industry, excepting only those relating to the coinage of money, to the postal, telegraphic, and radio-telegraphic services, to the issuance of bills by a single banking institution to be controlled by the Federal Government, and to the privileges which for a limited period the law may concede to authors and artists for the reproduction of their work; and to those granted inventors or improvers of inventions for the exclusive use of their inventions.

The law will accordingly severely punish and the authorities diligently prosecute any accumulating or cornering by one or more persons of necessities for the purpose of bringing about a rise in price; any act or measure which shall stifle or endeavor to stifle free competition in any production, industry, trade or public service; any agreement or combination of any kind entered into by producers, manufacturers, merchants, common carriers or other public or quasi-public service, to stifle competition and to compel the consumer to pay exorbitant prices; and in general whatever constitutes an unfair and exclusive advantage in favor of one or more specified person or persons to the detriment of the public in general or of any class.

Associations of labor organized to protect their own interests shall not be deemed a monopoly. Nor shall cooperative associations or unions of producers be deemed monopolies when, in defense of their own interests or of the general public, they sell directly in foreign markets national or industrial products which are the principal source of wealth of the region in which they are produced, provided they be not necessities, and provided further that such associations be under the supervision or protection of the Federal Government or of that of the States, and provided further that authorization be in each case obtained from the respective legislative bodies. These legislative bodies may, either on their own initiative or on the recommendation of the executive, revoke, whenever the public interest shall so demand, the authorization granted for the establishment of the associations in question.

Art. 29. In cases of invasion, grave disturbance of the public peace, or any other emergency which may place society in grave danger or conflict, the President of the Republic of Mexico, and no one else, with the concurrence of the Council of Ministers, and with the approval of the Federal Congress, or if the latter shall be in recess, of the Permanent Committee, shall have power to suspend throughout the whole Republic or in any portion thereof, such guarantees as shall be a hindrance in meeting the situation promptly and readily; but such suspension shall in no case be con-

fined to a particular individual, but shall be made by means of a general decree and only for a limited period. If the suspension occur while the Congress is in session, this body shall grant such powers as in its judgment the executive may need to meet the situation; if the suspension occur while the Congress is in recess, the Congress shall be convoked forthwith for the granting of such powers.

CHAPTER II

Of Mexicans

Art. 30. A Mexican shall be such either by birth or by naturalization.

I. Mexicans by birth are those born of Mexican parents, within or without the Republic, provided in the latter case the parents be also Mexicans by birth. Persons born within the Republic of foreign parentage shall likewise be considered Mexicans by birth, who within one year after they come of age shall declare to the Department of Foreign Affairs that they elect Mexican citizenship, and who shall furthermore prove to the said Department that they have resided within the country during the six years immediately prior to the said declaration.

II. Mexicans by naturalization are:

(a) The children of foreign parentage born in the country, who shall elect Mexican citizenship in the manner prescribed in the foregoing clause, and in whom the residence qualification required in the said section does not concur.

(b) Those persons who shall have resided in the country for five consecutive years, have an honest means of livelihood and shall have obtained naturalization from the said Department of Foreign Affairs.

(c) Those of mixed Indian and Latin descent who may establish residence in the Republic, and manifest their intention to acquire Mexican citizenship.

In the cases stipulated in these sections, the law shall determine the manner of proving the requisites therein demanded.

Art. 31. It shall be the duty of every Mexican:

I. To compel the attendance at either private or public schools of their children or wards, when under fifteen years of age, in order that they may receive primary instruction and military training for such periods as the law of public instruction in each State shall determine.

II. To attend on such days and at such hours as the town council shall in each case prescribe, to receive such civic instruction and military training as shall fit them to exercise their civic rights, and make them skillful in the handling of arms and familiar with military discipline.

III. To enlist and serve in the national guard, pursuant to the respective organic law for the purpose of preserving and defending the independence, territory, honor, rights and interests of the country, as well as domestic peace and order.

IV. To contribute in the proportional and equitable manner provided by law toward the public expenses of the Federation, the State and the municipality in which he resides.

Art. 32. Mexicans shall be preferred under equal circumstances to foreigners for all kinds of concessions and for all public employments, offices or commissions, when citizenship is not indispensable. No foreigner shall serve in the army nor in the police corps nor in any other department of public safety during times of peace.

Only Mexicans by birth may belong to the national navy, or fill any office or commission therein. The same requisite shall be required for captains, pilots, masters and chief engineers of Mexican merchant ships, as well as for two-thirds of the members of the crew.

CHAPTER III

Of Aliens

Art. 33. Aliens are those who do not possess the qualifications prescribed by Article 30. They shall be entitled to the guarantees granted by Chapter I, Title I, of the present Constitution; but the Executive shall have the exclusive right to expel from the Republic forthwith, and without judicial process, any foreigner whose presence he may deem expedient.

No foreigner shall meddle in any way whatsoever in the political affairs of the country.

CHAPTER IV

Of Mexican Citizens

Art. 34. Mexican citizenship shall be enjoyed by those Mexicans who have the following qualifications:

- I. Are over 21 years of age, if unmarried, and over 18, if married; and
- II. Have an honest means of livelihood.

Art. 35. The prerogatives of citizens are:

- I. To vote at popular elections.
- II. To be eligible for any elective office and be qualified for any other office or commission, provided they have the other qualifications required by law.
- III. To assemble for the purpose of discussing the political affairs of the country.
- IV. To serve in the army or national guard for the defense of the Republic and its institutions, as by law determined.

V. To exercise the right of petition in any matter whatever.

Art. 36. The following are the obligations of every Mexican citizen:

- I. To register in the polls of the municipality, setting forth any property he may own and his professional or industrial pursuit, or occupation; and also to register in the electoral registration lists, as by law determined.
- II. To enlist in the national guard.
- III. To vote at popular elections in the electoral district to which he belongs.
- IV. To fill the elective Federal or State offices to which he may be chosen, which service shall in no case be gratuitous.
- V. To serve on the town council of the municipality wherein he resides and to perform all electoral and jury service.

Art. 37. Citizenship shall be lost:

- I. By naturalization in a foreign country.
- II. By officially serving the government of another country, or accepting its decorations, titles or employment without previous permission of the Federal Congress, excepting literary, scientific and humanitarian titles which may be accepted freely.
- III. By compromising themselves in any way before ministers of any religious creed or before any other person not to observe the present Constitution, or the laws arising thereunder.

Art. 38. The rights or prerogatives of citizenship shall be suspended for the following reasons:

- I. Through failure to comply, without sufficient cause, with any of the obligations imposed by Article 36. This suspension shall last for one year and shall be in addition to any other penalties prescribed by law for the same offense.
- II. Through being subjected to criminal prosecution for an offense punishable with imprisonment, such suspension to be reckoned from the date of the formal order of commitment.
- III. While serving a term of imprisonment.

IV. Through vagrancy or habitual drunkenness, declared in the manner provided by law.

V. Through being a fugitive from justice, the suspension to be reckoned from the date of the order of arrest until the prescription of the criminal action.

VI. Through any final sentence which shall decree as a penalty such suspension.

The law shall determine the cases in which civic rights may be lost or suspended and the manner in which they may be regained.

TITLE II

CHAPTER I

Of the National Sovereignty and Form of Government

Art. 39. The national sovereignty is vested essentially and originally in the people. All public power emanates from the people, and is instituted for their benefit. The people have at all times the inalienable right to alter or modify the form of their government.

Art. 40. It is the will of the Mexican people to constitute themselves into a democratic, federal, representative republic, consisting of States, free and sovereign in all that concerns their internal affairs, but united in a federation according to the principles of this fundamental law.

Art. 41. The people exercise their sovereignty through the federal powers in the matters belonging to the Union, and through those of the States in the matters relating to the internal administration of the latter, in the manner respectively established by the Constitutions, both Federal and State. The Constitutions of the States shall in no case contravene the stipulations of the Federal pact.

CHAPTER II

Of the Integral Parts of the Federation and the National Territory

Art. 42. The national territory comprises the integral parts of the Federation and the adjacent islands in both oceans. It likewise comprises the Island of Guadalupe, those of Revillagigedo, and that of "La Pasión," situated in the Pacific Ocean.

Art. 43. The integral parts of the Federation are: The States of Aguascalientes, Campeche, Coahuila, Colima, Chiapas, Chihuahua, Durango, Guanajuato, Guerrero, Hidalgo, Jalisco, México, Michoacán, Morelos, Nayarit, Nuevo León, Oaxaca, Puebla, Querétaro, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tamaulipas, Tlaxcala, Veracruz, Yucatán, Zacatecas, the Federal district, the Territory of Lower California, and the Territory of Quintana Roo.

Art. 44. The Federal District shall embrace its present territory; in the event of the removal of the Federal Powers to some other place it shall be created into the State of the Valley of Mexico, with such boundaries and areas as the Federal Congress shall assign to it.

Art. 45. The States and Territories of the Federation shall keep their present boundaries and areas, provided no boundary question exist between them.

Art. 46. The States having pending boundary questions shall arrange or settle them as provided by this Constitution.

Art. 47. The State of Nayarit shall have the territorial area and boundaries at present comprising the Territory of Tepic.

Art. 48. The islands in both oceans embraced within the national territory shall depend directly on the Federal Government, excepting those over which the States have up to the present time exercised jurisdiction.

TITLE III

CHAPTER I

Of the Division of Powers

Art. 49. The supreme power of the Federation is divided for its exercise into legislative, executive and judicial.

Two or more of these powers shall never be united in one person or corporation, nor shall the legislative power be vested in one individual except in the case of extraordinary powers granted to the executive, in accordance with the provisions of Article 29.

CHAPTER II

Of the Legislative Power

Art. 50. The legislative power of the United States of Mexico is vested in a general congress which shall consist of two chambers, a House of Representatives and a Senate.

SECTION I

Of the Election and Installation of the Congress

Art. 51. The House of Representatives shall consist of representatives of the Nation, all of whom shall be elected every two years by the citizens of Mexico.

Art. 52. One representative shall be chosen for each 60,000 inhabitants or for any fraction thereof exceeding 20,000, on the basis of the general census of the Federal District and of each State and Territory. Any State or Territory in which the population shall be less than that fixed by this article shall, nevertheless, elect one representative.

Art. 53. There shall be elected an alternate for each representative.

Art. 54. The election of representatives shall be direct, in accordance with the provisions of the electoral law.

Art. 55. Representatives shall have the following qualifications:

I. They shall be Mexican citizens by birth and in the enjoyment of their rights.

II. They shall be over twenty-five years of age on the day of election.

III. They shall be natives of the States or Territories respectively electing them, or domiciled and actually resident therein for six months immediately prior to the election. The domicile shall not be lost through absence in the discharge of any elective office.

IV. They shall not be in active service in the Federal army, not have any command in the police corps or rural constabulary in the districts where the elections respectively take place, for at least ninety days immediately prior to the election.

V. They shall not hold the office of secretary nor assistant secretary of any executive department nor of justice of the supreme court, unless they shall have resigned therefrom ninety days immediately prior to the election.

No state governor, secretary of state of the several states, nor state judge shall be eligible in the Districts within their several jurisdictions, unless they shall have resigned from their office ninety days immediately prior to the day of election.

VI. They shall not be ministers of any religious creed.

Art. 56. The Senate shall consist of two senators from each state and two from the Federal District, chosen in direct election.

Each State Legislature shall certify to the election of the candidate who shall have obtained a majority of the total number of votes cast.

Art. 57. There shall be elected an alternate for each senator.

Art. 58. Each senator shall serve four years. The Senate shall be renewed by half every two years.

Art. 59. The qualifications necessary to be a senator shall be the same as those necessary to be a representative, excepting that of age, which shall be over thirty-five on the day of election.

Art. 60. Each House shall be the judge of the election of its members and shall decide all questions arising therefrom.

Its decisions shall be final.

Art. 61. Representatives and Senators are inviolable for opinions expressed by them in the discharge of their duties, and shall never be called to account for them.

Art. 62. Representatives and Senators shall be disqualified during the terms for which they have been elected from holding any Federal or State commission or office for which any emolument is received, without previous permission of the respective House; in the event of their accepting such commission or office they shall forthwith lose their representative character for such time as they shall hold such appointive office. The same provision shall apply to alternate representatives and senators, when in active service. The violation of this provision shall be punished by forfeiture of the office of representative or senator.

Art. 63. The Houses shall not open their sessions nor exercise their functions without a quorum, in the Senate of two-thirds, and in the House of Representatives of a majority of the total membership; but the members present of either House shall meet on the day appointed by law and compel the attendance of the absentees within the next thirty days, and they shall warn them that failure to comply with this provision shall be taken to be a refusal of office, and the corresponding alternates shall be summoned forthwith; the latter shall have a similar period within which to present themselves, and on their failure to do so the seats shall be declared vacant and new elections called.

Representatives or Senators who shall be absent during ten consecutive days without proper cause or without leave of the President of the respective House, notice of which shall be duly communicated to the House, shall be understood as waiving their right to attend until the next session, and their alternates shall be summoned without delay.

If there shall be no quorum to organize either of the Houses or to continue their labors, once organized, the alternates shall be ordered to present themselves as soon as possible for the purpose of taking office until the expiration of the thirty days hereinbefore mentioned.

Art. 64. No Representative or Senator who shall fail to attend any daily session without proper cause or without previous permission of the respective House, shall be entitled to the compensation corresponding to the day on which he shall have been absent.

Art. 65. The Congress shall meet on the first day of September of each year in regular session for the consideration of the following matters:

I. To audit the accounts of the previous year which shall be submitted to the House of Representatives within the first ten days of the convening of the session. The audit shall not be confined to determining whether the expenditures do or do not conform with the respective items in the Budget, but shall comprise an examination of the exactness of, and authorization for, payments made thereunder, and of any liability arising from such payments.

No other secret items shall be permitted than those which the Budget may consider necessary as such; these amounts shall be paid out by the secretaries of executive departments under written orders of the President.

II. To examine, discuss and approve the budget for the next fiscal year, and to lay such taxes as may be needed to meet the expenditures.

III. To study, discuss and vote on all bills presented and to discuss all other matters incumbent upon the Congress by virtue of this Constitution.

Art. 66. The regular session of the Congress shall last the period necessary to deal with all of the matters mentioned in the foregoing article, but it may not be extended beyond the thirty-first day of December of the same year. Should both Houses fail to agree as to adjournment prior to the above date, the matter shall be decided by the President.

Art. 67. The Congress shall meet in extraordinary session whenever so summoned by the President, but in such event it shall consider only the matter or matters submitted to it by the President, who shall enumerate it or them in the respective call. The President shall have power to convene in extraordinary session only one of the Houses when the matter to be referred to it pertains to its exclusive jurisdiction.

Art. 68. Both Houses shall hold their meetings in the same place and shall not move to another without having first agreed upon the moving and the time and manner of accomplishing it, as well as upon the place of meeting, which shall be the same for both Houses. If both Houses agree to change their meeting place but disagree as to the time, manner and place, the President shall settle the question by choosing one of the two proposals. Neither House may suspend its sessions for more than three days without the consent of the other.

Art. 69. The President of the Republic shall attend at the opening of the sessions of the Congress, whether regular or extraordinary, and shall submit a report in writing; this report shall, in the former case, relate to the general state of the Union; and in the latter, it shall explain to the Congress or to the House addressed the reasons or causes which rendered the call necessary and the matter or matters requiring immediate attention.

Art. 70. Every decision of the Congress shall be in the form of a law or decree. The laws or decrees shall be communicated to the Executive after having been signed by the Presidents of both Houses and by one of the secretaries of each. When promulgated, the enacting clause shall read as follows:

“The Congress of the United States of Mexico decrees (text of the law or decree).”

SECTION II

Of the Origin and Formation of the Laws

Art. 71. The right to originate legislation pertains:

I. To the President of the Republic;

II. To the Representatives and Senators of the Congress;

III. To the State Legislatures.

Bills submitted by the President of the Republic, by State Legislatures or by delegations of the States shall be at once referred to committee. Those introduced by representatives or senators shall be subject to the rules of procedure.

Art. 72. Bills, action on which shall not pertain exclusively to one of the Houses, shall be discussed first by one and then by the other, according to the rules of procedure as to the form, time of presentation and other details relative to discussions and votes.

A. After a bill has been approved in the House where it originated it shall be sent to the other House for consideration. If passed by the latter it shall be transmitted to the President who, if he has no observations to make thereto, shall immediately promulgate it.

B. Bills not returned by the Executive within ten working days with his observations to the House in which they originated, shall be considered approved, unless during the said ten days the Congress shall have adjourned or suspended its sessions, in which event they shall be returned on the first working day after the Congress shall have reconvened.

C. Bills rejected in whole or in part by the Executive shall be returned with his observations to the House where they originated. They shall be discussed anew by this House and if confirmed by a two-thirds majority vote of the total membership shall be sent to the other House for reconsideration. If approved by it, also by the same majority vote, the bill shall become law and shall be returned to the Executive for promulgation.

The voting in both Houses shall be by yeas and nays.

D. Bills totally rejected by the House not originating them shall be returned with the proper observations to the House of origin. If examined anew and approved by a majority of the members present, they shall be returned to the House rejecting them, which shall once again take them under consideration, and if approved by it, likewise by the same majority vote, they shall be sent to the Executive for the purposes of Clause A; but if the said House reject them, they shall not be reintroduced in the same session.

E. Bills rejected in part or modified or amended by the House of revision shall be discussed anew in the House of origin, but the discussion shall be confined to the portion rejected or to the amendments or additions, without the approved articles being altered in any respect. If the additions or amendments made by the House of revision be approved by a majority vote of the members present in the House of origin, the bill shall be transmitted to the Executive for the purposes of Clause A; but if the amendments or additions by the House of revision be rejected by a majority vote of the House of origin they shall be returned to the former House in order that the reasons set forth by the latter may be taken into consideration. If in this second revision the said additions or amendments be rejected by a majority vote of the members present the portion of the bill which has been approved by both Houses shall be sent to the Executive for the purposes of Clause A. If the House of revision insist by a majority vote of the members present upon the additions or amendments, no action shall be taken on the whole bill until the next session, unless both Houses agree, by a majority vote of the members present, to the promulgation of the law without the articles objected to, which shall be left till the next session, when they shall be then discussed and voted upon.

F. The same formalities as are required for the enactment of laws shall be observed for their interpretation, amendment or repeal.

G. No bill rejected in the House of origin shall be reintroduced during the session of that year.

H. Legislative measures may be originated in either House, excepting bills dealing with loans, taxes or imposts, or with the raising of troops which must have their origin in the House of Representatives.

I. Whenever a bill shall be presented to one House it shall be first discussed there unless one month shall have elapsed since it was referred to committee and not reported by the latter, in which event an identical bill may be introduced and discussed in the other House.

J. The President shall not make any observations touching the resolutions of the Congress or of either House when acting as an electoral body or as a jury, nor when the House of Representatives shall declare that there are grounds to impeach any high federal authority for official offences.

Nor shall he make any observations touching the order for a call issued by the Permanent Committee as provided in Article 84.

SECTION III

Of the Powers of the Congress

Art. 73. The Congress shall have power:

I. To admit new States or Territories into the Federal Union.

II. To grant statehood to Territories which have a population of eighty thousand inhabitants and the necessary means to provide for their political existence.

III. To form new States within the boundaries of existing ones, provided the following requisites are complied with:

1. That the section or sections aspiring to statehood have a population of one hundred and twenty thousand inhabitants at least;

2. That proof be given to the Congress that it has sufficient means to provide for its political existence;

3. That the Legislatures of the States affected be heard as to the advisability or inadvisability of granting such statehood, which opinion shall be given within six months reckoned from the day on which the respective communication is forwarded;

4. That the opinion of the Executive of the Federal Government be also heard on the subject; this opinion shall be given within seven days after the date on which it is requested.

5. That the creation of the new State be voted upon favorably by two-thirds of the Representatives and Senators present in their respective Houses.

6. That the resolution of the Congress be ratified by a majority of the State Legislatures, upon examination of a copy of the record of the case, provided that the Legislatures of the States whose territory is involved shall have given their consent.

7. That the ratification referred to in the foregoing clause be given by two-thirds of the Legislatures of the other States, if the Legislatures of the States whose territory is involved have not given their consent.

IV. To settle finally the limits of the States, terminating the differences which may arise between them relative to the demarcation of their respective territories, except when the differences be of a litigious nature.

V. To change the residence of the supreme powers of the Federation.

VI. To legislate in all matters relating to the Federal District and the Territories, as hereinafter provided:

1. The Federal District and the Territories shall be divided into municipalities, each of which shall have the area and population sufficient for its own support and for its contribution toward the common expenses.

2. Each municipality shall be governed by a town council elected by direct vote of the people.

3. The Federal District and each of the Territories shall be administered by governors under the direct orders of the President of the Republic. The Governor of the Federal District shall despatch with the President, and the Governor of each Territory shall despatch with the President through the duly constituted channels. The Governor of the Federal District and the Governor of each Territory shall be appointed by the President and may be removed by him at will.

4. The Superior Judges and those of First Instance of the Federal District as well as of the Territories shall be named by the Congress, acting in each case as an electoral college.

In the temporary or permanent absences of the said Superior Judges these shall be replaced by appointment of the Congress, and in recess by temporary appointments of the Permanent Committee. The organic law shall determine the manner of filling temporary vacancies in the case of judges, and shall designate the authority before whom they shall be called to account for any dereliction, excepting the provisions of this Constitution with regard to the responsibility of officials.

From and after the year 1923 the Superior Judges and those of First Instance to which this clause refers may only be removed from office for bad conduct and after impeachment, unless they shall have been promoted to a higher grade. From and after the said date the compensation enjoyed by said officials shall not be diminished during their term of office.

5. The office of the Public Attorney (Ministerio Publico) of the Federal District and of the Territories, shall be in charge of an Attorney General, who shall reside in the City of Mexico, and of such public attorney or attorneys as the law may determine; the said Attorney General shall be under the direct orders of the President of the Republic, who shall appoint and remove him at will.

VII. To lay the taxes necessary to meet the expenditures of the budget.

VIII. To establish the terms upon which the Executive may make loans on the credit of the Nation; to approve the said loans and to acknowledge and order the payment of the national debt.

IX. To enact tariff laws on foreign commerce and to prevent restrictions from being imposed on interstate commerce.

X. To legislate for the entire Republic in all matters relating to mining, commerce, and institutions of credit, and to establish the Single Bank of Issue, as provided in Article 28 of this Constitution.

XI. To create or abolish Federal offices, and to fix, increase or decrease the compensations assigned thereto.

XII. To declare war, upon examination of the facts submitted by the Executive.

XIII. To regulate the manner in which letters of marque may be issued; to enact laws according to which prizes on sea and land shall be adjudged valid or invalid; and to frame the admiralty law for times of peace and war.

XIV. To raise and maintain the army and navy of the Union, and to regulate their organization and service.

XV. To make rules for the organization and discipline of the National Guard, reserving for the citizens who compose it the right of appointing their respective commanders and officers, and to the States the power of training it in conformity with the discipline prescribed by the said regulations.

XVI. To enact laws on citizenship, naturalization, colonization, emigration, immigration and public health of the Republic.

1. The Public Health Service shall depend directly upon the President of the Republic, without the intervention of any executive department, and its general provisions shall be binding throughout the Republic.

2. In the event of epidemics of a grave or dangerous nature, of the invasion of diseases from abroad, the Public Health Service shall put into force without delay the necessary preventive measures, subject to their subsequent sanction by the President of the Republic.

3. The sanitary authorities shall have executive faculties and their determinations shall be obeyed by the administrative authorities of the country.

4. All measures which the Public Health Service shall have put into effect in its campaign against alcoholism and the sale of substances injurious to man and tending to degenerate the race shall be subsequently revised by the Federal Congress, in such cases as fall within the jurisdiction of the latter.

XVII. To enact laws on general ways of communication, postroads and post offices, and to enact laws as to the use and enjoyment of the waters subject to Federal jurisdiction.

XVIII. To establish mints, regulate the value and kinds of the national coin, fix the value of foreign moneys, and adopt a general system of weights and measures.

XIX. To make rules for the occupation and alienation of public lands and the prices thereof.

XX. To enact laws as to the organization of the diplomatic and consular services.

XXI. To define the crimes and offenses against the Federation and to fix the penalties therefor.

XXII. To grant amnesty for offenses, the jurisdiction of which belongs to Federal courts.

XXIII. To make rules for its internal government and to enact the necessary provisions to compel the attendance of absent Representatives and Senators and to punish the acts of commission or omission of those present.

XXIV. To issue the organic law of the office of the Comptroller of the Treasury.

XXV. To sit as an electoral college and to name the Justices of the Supreme Court, and the Superior and Inferior Judges of the Federal District and Territories.

XXVI. To accept the resignation of the Justices of the Supreme Court and of the Superior and Inferior Judges of the Federal District and Territories, and to name substitutes in their absence and to appoint their successors.

XXVII. To establish, organize and maintain throughout the Republic rural, elementary, superior, secondary and professional schools; schools of scientific research, fine arts and technical training; practical schools of agriculture, arts and crafts, museums, libraries, observatories, and other institutes relating to the general culture of the inhabitants of the Nation, and to legislate in all that relates to the said institutions.

The Federation shall have jurisdiction over the institutions which it may establish, maintain and organize, without abridgment of the freedom which the States have to legislate on the same educational branch. The degrees conferred by the above institutions shall be valid throughout the Republic. (As amended May 31, 1917.)

XXVIII. To sit as an electoral college and to choose the person to assume the office of President of the Republic, either as a substitute President or as a President ad interim in the terms established by Articles 84 and 85 of this Constitution.

XXIX. To accept the resignation of the President of the Republic.

XXX. To audit the accounts which shall be submitted annually by the Executive; this audit shall comprise not only the checking of the items disbursed under the Budget but the exactness of and authorization for the expenditures in each case.

XXXI. To make all laws necessary for carrying into execution the foregoing powers and all other powers vested by this Constitution in the several branches of the Government.

Art. 74. The House of Representatives shall have the following exclusive powers:

I. To sit as an electoral college to exercise the powers conferred by law as to the election of the President.

II. To watch by means of a committee chosen from among its own members over the faithful performance by the Comptroller of the Treasury in the discharge of his duties.

III. To appoint all the higher officers and other employees of the office of the Comptroller of the Treasury.

IV. To approve the annual budget, after a discussion as to what taxes must in its judgment be laid to meet the necessary expenditures.

V. To take cognizance of all charges brought against public officials, as herein provided, for official offenses, and should the circumstances so

warrant to impeach them before the Senate; and further to act as a grand jury to decide whether there is or is not good ground for proceeding against any official enjoying constitutional privileges, whenever accused of offenses of the common order.

VI. To exercise such other powers as may be expressly vested in it by this Constitution.

Art. 75. The House of Representatives, in passing the Budget of Expenditures, shall not fail to assign a definite compensation to every office created by law, and if for any reason such compensation shall not be assigned, the amount fixed in the preceding budget or in the law creating the office shall be presumed to be assigned.

Art. 76. The Senate shall have the following exclusive powers:

I. To approve the treaties and diplomatic conventions concluded by the Executive with foreign powers.

II. To confirm the nominations made by the President of diplomatic ministers or agents, consuls general, higher officials of the treasury, colonels and other superior officers of the army and navy, in the manner and form by law provided.

III. To authorize the President to allow national troops to go beyond the limits of the Republic, or to permit foreign troops to pass through the national territory, and to consent to the presence of fleets of another nation for more than one month in Mexican waters.

IV. To consent to the Executive disposing of the National Guard outside of the limits of its respective States or Territories, and to fix the amount of the force to be used.

V. To declare, when all the constitutional powers of any State have disappeared, that the occasion has arisen to give to the said State a provisional Governor, who shall call for elections to be held according to the Constitution and laws of the said State. The appointment of such a Governor shall be made by the Senate, with the approval of two-thirds of its members present or during recess by the Permanent Committee by the same two-thirds majority, from among three names submitted by the President. The official thus selected shall not be chosen constitutional Governor in the elections to be held under the call which he shall issue. This provision shall govern whenever the State Constitutions do not provide for the contingency.

VI. To sit as a Grand Jury to take cognizance of such official offenses of functionaries as are expressly prescribed by this Constitution.

VII. To exercise such other powers as may be expressly vested in it by this Constitution.

VIII. To adjust all political questions arising between the powers of a State whenever one of them shall appeal to the Senate or whenever by virtue of such differences a clash of arms has arisen to interrupt the constitutional order. In this event the Senate shall decide in accordance with the Federal Constitution and the Constitution of the State involved.

The exercise of this power and of the foregoing shall be regulated by law.

Art. 77. Each House may, without the intervention of the other:

I. Pass resolutions upon matters exclusively relating to its own interior government.

II. Communicate with the other House, and with the Federal Executive through committees appointed from among its members.

III. Appoint the employees in the office of its secretary, and make all rules and regulations for the said office.

IV. Issue a call for extraordinary elections to fill any vacancies which may occur in its membership.

SECTION IV

Of the Permanent Committee

Art. 78. During the recess of the Congress there shall be a Permanent Committee consisting of twenty-nine members, fifteen of whom shall be Representatives and fourteen Senators, appointed by the respective Houses on the eve of the day of adjournment.

Art. 79. In addition to the powers expressly vested in it by this Constitution, the Permanent Committee shall have the following powers:

I. To give its consent to the use of the national guard as provided in Article 76, Clause IV.

II. To administer the oath of office, should the occasion arise, to the President, to the Justices of the Supreme Court, to the Superior Judges of the Federal District and Territories, on such occasions as the latter officials may happen to be in the City of Mexico.

III. To report on all pending matters, so that they may be considered in the next session.

IV. To call extraordinary sessions in the case of official offenses or offenses of the common order committed by Secretaries of Executive Departments or Justices of the Supreme Court, and official offenses committed by State Governors, provided the case shall have been already instituted by the Committee of the Grand Jury, in which event no other business of the Congress shall be considered, nor shall the sessions be prolonged beyond the time necessary for a decision.

CHAPTER III

Of the Executive Power

Art. 80. The exercise of the supreme executive power of the Union is vested in a single individual, who shall be called "President of the United States of Mexico."

Art. 81. The election of President shall be direct, in accordance with the terms of the electoral law.

Art. 82. The President of the Republic shall have the following qualifications:

I. He shall be a Mexican citizen by birth, in the full enjoyment of his rights, and he must be the son of Mexican parents by birth.

II. He shall be over thirty-five years of age at the time of election.

III. He shall have resided in the country during the entire year prior to the election.

IV. He shall not belong to the ecclesiastical state nor be a minister of any religious creed.

V. In the event of belonging to the army, he shall have retired from active service 90 days immediately prior to the election.

VI. He shall not be a secretary or assistant secretary of any executive department, unless he shall have resigned from office 90 days prior to the election.

VII. He shall not have taken part, directly or indirectly, in any uprising, riot or military coup.

Art. 83. The President shall enter upon the duties of his office on the first day of December, shall serve four years and shall never be reelected.

The citizen who shall replace the constitutional President in the event of his permanent disability shall not be elected President for the ensuing term.

Nor shall the person designated as Acting President during the temporary disabilities of the constitutional President be reelected President for the ensuing term.

Art. 84. In the event of the permanent disability of the President of the Republic, if this shall occur within the first two years of the respective term, the Congress, if in session, shall forthwith act as an electoral college, and with the attendance of at least two-thirds of its total membership shall choose a President by secret ballot and by a majority vote; and the same Congress shall issue the call for Presidential elections and shall endeavor to have the date set for this event as far as possible coincide with the date of the next election of Representatives and Senators to Congress.

Should the disability of the President occur while Congress is in recess, the Permanent Committee shall forthwith designate a President ad interim who shall call Congress together in extraordinary session, in order that it may in turn issue the call for Presidential elections, in the manner provided in the foregoing paragraph.

Should the disability of the President occur in the last two years of the respective term, the Congress, if in session, shall choose the substitute to conclude the period of the presidential term; if Congress shall not be in session the Permanent Committee shall choose a President ad interim and shall summon Congress in extraordinary session, in order that it may act as an electoral college and proceed to the election of the substitute President.

The President ad interim may be chosen by Congress as substitute President.

The citizen designated as President ad interim for the purpose of calling elections, in the event of the disability of the President within the two first years of the respective term, shall not be chosen in the elections held to fill such vacancy and for which he was designated.

Art. 85. If the President-elect shall fail to present himself at the beginning of any constitutional term, or the election not have been held and the result made known by the first of December, the outgoing President shall nevertheless vacate office and the President ad interim chosen by the Congress, or in its recess by the Permanent Committee, shall forthwith assume the executive power. All action taken hereunder shall be governed by the provisions of the foregoing article.

In case of a temporary disability of the President, the Congress, or the Permanent Committee if the Congress shall not be in session, shall designate an Acting President during such disability. If a temporary disability shall become permanent, the action prescribed in the preceding article shall be taken.

In the event of a leave of absence granted to the President of the Republic the person acting in his stead shall not be disqualified from being elected in the ensuing period, provided he shall not have been in office during the holding of elections.

Art. 86. The President shall not resign office except for grave cause, upon which the Congress shall pass, to which body the resignation shall be tendered.

Art. 87. The President, before entering upon the discharge of the duties of his office, shall make the following affirmation before the Congress, or in its recess before the Permanent Committee:

"I do solemnly affirm that I will defend and enforce the Constitution of the United States of Mexico and the laws enacted thereunder, and that I will faithfully and conscientiously discharge the duties of President of the United States of Mexico, to which I have been chosen by the people, having ever in mind the welfare and prosperity of the Nation; if I shall fail to do so, may the Nation call me to account."

Art. 88. The President shall not absent himself from the national territory without the permission of the Congress.

Art. 89. The President shall have the following powers and duties:

I. To promulgate and execute the laws enacted by the Congress, providing, within the executive sphere, for their faithful observance.

II. To appoint and remove at will the Secretaries of Executive Departments, the Attorney General of the Republic, the Governor of the Federal District, the Governors of Territories, the Attorney General of the Federal District and Territories; and to appoint and remove at will all other Federal employees whose appointment or removal is not otherwise provided for by law or in this Constitution.

III. To appoint, with the approval of the Senate, all ministers, diplomatic agents and consuls general.

IV. To appoint, with the approval of the Senate, the colonels and other superior officers of the army and navy and the superior officials of the treasury.

V. To appoint all other officers of the national army and navy, as by law provided.

VI. To dispose of the permanent land and sea forces for the domestic safety and foreign defense of the Union.

VII. To dispose of the National Guard for the same purposes, as provided by Article 76, Clause IV.

VIII. To declare war in the name of the United States of Mexico, after the passage of the corresponding resolution by the Congress of the Union.

IX. To grant letters of marque, upon the terms and conditions fixed by the Congress.

X. To conduct diplomatic negotiations and to make treaties with foreign powers, submitting them for ratification to the Congress.

XI. To call Congress, or either of the Houses, in extraordinary session, whenever in his judgment it may be advisable.

XII. To afford the judiciary the assistance necessary for the expeditious exercise of its functions.

XIII. To open all kinds of ports, establish maritime and frontier custom houses and designate their location.

XIV. To grant, according to law, pardons to criminals sentenced for offenses within the jurisdiction of the Federal tribunals, and to all persons sentenced for offenses of the common order in the Federal District and Territories.

XV. To grant exclusive privileges for a limited time, and according to the respective laws, to discoverers, inventors or improvers in any branch of industry.

XVI. Whenever the Senate shall not be in session the President may temporarily make the nominations enumerated in Clauses III and IV hereof, but these nominations shall be submitted to the Senate so soon as it reconvenes.

XVII. To exercise such other rights and duties as are expressly conferred upon him by this Constitution.

Art. 90. For the transaction of administrative matters of the Federal Government there shall be the number of secretaries of executive departments which the Congress may by law establish, which law shall likewise assign among the various departments the several matters with which each shall be charged.

Art. 91. No person shall be appointed Secretary of an Executive Department who is not a Mexican citizen by birth, in the enjoyment of his rights and who has not attained the age of thirty years.

Art. 92. All regulations, decrees and orders of the President shall be signed by the Secretary of the Executive Department to which the matter pertains. They shall not be binding without this requisite. All regulations, decrees, and orders of the President touching the government of the Federal District and the administrative departments shall be trans-

mitted directly by the President to the Governor of the District and to the chief of the respective bureau.

Art. 93. The secretaries of executive departments shall on the opening of each regular session report to the Congress as to the state of their respective departments. Either House may summon a Secretary of an Executive Department to inform it, whenever a bill or other matter pertaining to his department is under discussion or consideration.

CHAPTER IV

Of the Judicial Power

Art. 94. The judicial power of the Federation is vested in a Supreme Court and in Circuit and District courts, whose number and powers shall be fixed by law. The Supreme Court of Justice shall consist of eleven members; its sittings shall be in banc and its hearings shall be public, except in the cases where public interest or morality shall otherwise require. It shall meet at such times and under such conditions as by law prescribed. No sittings of the court shall be held without the attendance of at least two-thirds of its total membership, and all decisions rendered shall be by a majority vote.

The Justices of the Supreme Court chosen to this office in the forthcoming elections shall serve two years; those elected at the conclusion of this first term shall serve four years, and from and after the year 1923 the Justices of the Supreme Court, the Circuit and District judges may only be removed for malfeasance and after impeachment proceedings, unless the Circuit and District Judges be promoted to a higher grade.

The same provision shall govern, in so far as it be applicable to the terms of two and four years, respectively, to which this article refers.

Art. 95. The Justices of the Supreme Court shall have the following qualifications:

I. They shall be Mexican citizens by birth, in the full enjoyment of their civil and political rights.

II. They shall be over thirty-five years of age at the time of election.

III. They shall be graduates in law of some institution or corporation authorized by law to confer such degrees.

IV. They shall be of good repute and not have been convicted of any offense punishable with more than one year's imprisonment; but conviction of larceny, deceit, forgery, embezzlement or any other offense seriously impairing their good name in the public mind shall disqualify them for office, whatever may have been the penalty imposed.

V. They shall have resided in the country for the last five years, except in the case of absence on public service abroad for a period not exceeding six months.

Art. 96. The members of the Supreme Court of Justice shall be chosen by the Congress, acting as an electoral college; the presence of at least two-thirds of the total number of Representatives and Senators shall be necessary for such action. The election shall be by secret ballot and by a majority vote, and shall be held as among the candidates previously proposed, one being nominated by each State Legislature, as provided in the respective State laws.

Should no candidate receive a majority on the first ballot, the balloting shall be repeated between the two candidates receiving the highest number of votes.

Art. 97. All Circuit and District Judges shall be appointed by the Supreme Court of Justice; they shall have such qualifications as by law required, shall serve four years and shall not be removed except by impeachment proceedings or for incapacity to discharge their duties, in accordance with the law.

The Supreme Court of Justice may remove the District Judges from one district to another, or it may fix their seats in another locality, as it may deem most advantageous to the public business. A similar procedure shall be observed in the case of Circuit Judges.

The Supreme Court of Justice may likewise appoint auxiliary Circuit and District Judges to assist in the labors of such courts as have an excessive amount of business, in order that the administration of justice may be speedy; it shall also name one or more of its members or some district or circuit judge or shall designate one or more special commissioners, whenever it shall deem it advisable or on the request of the President or of either House or of any State Governor, solely for the purpose of inquiring into the behavior of any judge or federal justice or into any fact or facts which amount to a violation of any individual guarantees or to the subversion of the popular will or any other offense punishable by federal statute.

The Circuit and District courts shall be assigned among the several Justices of the Supreme Court, who shall visit them periodically, shall observe the conduct of their judges, listen to any complaint presented against them and perform all such other acts as the law may require. The Supreme Court shall appoint and remove at will its clerk of the court and other employees on the roster established by law. The Circuit and District Judges shall likewise appoint and remove at will their respective clerks and employees.

The Supreme Court shall choose each year one of its members to act as Chief Justice, with the right of re-election.

Each Justice of the Supreme Court on assuming office shall make an affirmation before Congress, or if this is in recess, before the Permanent Committee, as follows:

The Presiding Officer shall say: "Do you promise to perform faithfully and conscientiously the duties of Justice of the Supreme Court with which you have been charged, and to defend and enforce the Constitution of the United States of Mexico and the laws arising thereunder, having ever in mind the welfare and prosperity of the Nation?" To which the Justice shall reply, "I do." On which the presiding officer shall answer: "If you fail to do so, may the Nation call you to account."

The Circuit and District Judges shall make the affirmation of office before the Supreme Court or before such other authority as the law may determine.

Art. 98. No temporary disability of a Justice of the Supreme Court not exceeding one month shall be filled, provided there be otherwise a quorum. In the absence of a quorum the Congress, or in its recess the Permanent Committee, shall name a substitute selected from among the candidates submitted by the States for the election of the justice in question and not chosen, to serve during such disability. If the disability does not exceed two months, the Congress, or during its recess the Permanent Committee, shall choose at will a temporary justice.

In the event of the death, resignation or disqualification of any justice of the Supreme Court, a new election shall be held by the Congress to fill this vacancy as provided in Article 96.

If the Congress shall not be in session, the Permanent Committee shall make a temporary appointment until such time as the Congress shall convene and proceed to the corresponding election.

Art. 99. The resignation of a Justice of the Supreme Court shall only be accepted for grave cause, approved by Congress, to whom the resignation shall be tendered. In the recesses of the Congress, the power to act on this matter belongs to the Permanent Committee.

Art. 100. The Supreme Court shall grant all leaves of absence of its members, when they do not exceed one month; such as do exceed this

period shall be granted by the House of Representatives, or during its recess by the Permanent Committee.

Art. 101. No Justice of the Supreme Court, Circuit or District Judge, nor clerk of any of these courts shall under any circumstances accept any State, Federal or private commission or office, excepting honorary titles from scientific, literary or charitable associations. The violation of this provision shall work a forfeiture of office.

Art. 102. The office of the Public Attorney shall be organized in accordance with the law, and its officers shall be appointed and removed at will by the Executive. They shall be under the direction of an Attorney General who shall possess the same qualifications as are required for the office of Justice of the Supreme Court.

The Public Attorneys shall be charged with the judicial prosecution of all Federal offenses; they shall accordingly sue out all orders of arrest, assemble and offer all evidence as to the responsibility of the accused, see that the trials are conducted in due order so that the administration of justice may be speedy, pray the imposition of sentence, and in general take part in all matters required by law.

The Attorney General of the Republic shall personally intervene in matters to which the Federal Government is a party; in cases affecting ministers, diplomatic agents and consuls general, and in all controversies between two or more States of the Union, between the Federal Government and a State or between the several powers of a State. The Attorney General may either personally or through one of the Public Attorneys take part in all other cases in which the Public Attorneys are called upon to act.

The Attorney General shall be the legal adviser of the Government, and both he and the Public Attorneys under his orders shall faithfully obey the law and shall be liable for all breaches or for any violations which they may incur in the discharge of their duties.

Art. 103. The Federal tribunals shall take cognizance of:

I. All controversies arising out of laws or acts of any authority which violate any of the personal guarantees.

II. All controversies arising out of laws or acts of the Federal authorities which limit or encroach upon the sovereignty of the States.

III. All controversies arising out of laws or acts of the State authorities which invade the sphere of the Federal authorities.

Art. 104. The Federal tribunals shall have jurisdiction over:

I. All controversies of a civil or criminal nature arising out of the application and enforcement of the Federal laws, or out of treaties concluded with foreign powers. Whenever such controversies affect only private rights, the regular local courts of the States, the Federal District and Territories shall, at the election of the plaintiff, assume jurisdiction. Appeal may be had from all judgments of first instance to the next higher tribunal of the same court in which the case was first heard. Appeal may be taken from sentences of second instance to the Supreme Court of Justice, which appeal shall be prepared, submitted and prosecuted, in accordance with the procedure provided by law.

II. All cases pertaining to admiralty law.

III. All cases to which the Federation may be a party.

IV. All cases arising between two or more States, or between any State and the Federal Government, as well as those arising between the courts of the Federal District and those of the Federal Government or of a State.

V. All cases arising between a State and one or more citizens of another State.

VI. All cases concerning diplomatic agents and consuls.

Art. 105. The Supreme Court of Justice shall have exclusive jurisdiction in all controversies arising between two or more States, between

the powers of government of any State as to the constitutionality of their acts, or between one or more States and the Federal Government, and in all cases to which the Federal Government may be a party.

Art. 106. The Supreme Court of Justice shall likewise have exclusive jurisdiction to determine all questions of jurisdiction between the Federal tribunals, between these and those of the States, or between those of one State and those of another.

Art. 107. All controversies mentioned in Article 103 shall be prosecuted by the injured party in accordance with the judicial forms and procedure which the law shall establish, subject to the following conditions:

I. The judgment shall always be so drawn as to affect exclusively private individuals, and shall confine itself to affording them redress in the special case to which the complaint refers; but it shall make no general statement as to the law or the act that may have formed the basis for the complaint.

II. In civil or penal suits, excepting those mentioned in Clause IX hereof, the writ of amparo shall issue only against final judgments when no other ordinary recourse is available by which these judgments may be modified or amended, if the violation of the law shall have occurred in the judgment, or if, although committed during the course of the trial, objection was duly noted and protest entered against the denial of reparation, and provided further that if committed in first instance it shall have been invoked in second instance as a violation of the law.

Notwithstanding the foregoing provision, the Supreme Court may in penal cases waive any defects in the petition when there has been a manifest violation of the law which has left the petitioner without recourse, or when he has been tried by a law not strictly applicable to the case, provided failure to take advantage of this violation has been merely an oversight.

III. In civil or penal suits the writ of amparo shall issue only if substantial portions of the rules of procedure have been violated, and provided further that the said violation shall deprive the petitioner of means of defense.

IV. In addition to the case mentioned in the foregoing paragraph, the writ of amparo shall issue only on a final judgment in a civil suit,—provided the requirements set forth in Clause II hereof have been complied with,—when the judgment shall be contrary to the letter of the law applicable to the case or contrary to its legal interpretation, when it includes persons, actions, defenses, or things which have not been the object of the suit, or finally when all these have not been included either through omission or express refusal.

When the writ of amparo is sought against mesne judgments, in accordance with the provisions of the foregoing clause, these rules shall be observed, as far as applicable.

V. In penal suits, the authorities responsible for the violation shall stay the execution of final judgment against which the writ of amparo has been sought; for this purpose the petitioner shall, within the period set by law, give notice, under oath, to the said authorities of the interposition of this recourse, accompanying it with two copies of the petition, one of which shall be delivered to the opposing party and the other filed.

VI. The execution of a final judgment in civil suits shall only be stayed when the petitioner shall give bond to cover damages occasioned thereby, unless the other party shall give a counter bond (1) to guarantee that the normal conditions and relations previously existing be restored, and (2) to pay the corresponding damages, in the event of the granting of the amparo. In such event the interposition of the recourse of amparo shall be communicated as provided in the foregoing clause.

VII. If a writ of amparo be sought against a final judgment, a certified copy of such portions of the record as the petitioner may desire

shall be requested from the authority responsible for the violation; to this there shall be added such portions as the other party may desire and a clear and succinct statement by the said authority of the justification of the act protested; note shall be made of this on the record.

VIII. When a writ of amparo is sought against a final judgment, the petition shall be brought before the Supreme Court; this petition, together with the copy required by Clause VII, shall be either presented to the Supreme Court or sent through the authority responsible for the violation or through the District Court of the corresponding State. The Supreme Court shall render judgment without any other formality or procedure than the petition, the document presented by the other party and that of the Attorney General or the Public Attorney he may name in his stead, and shall comprise no other legal question than that contained in the complaint.

IX. When the acts of an authority other than the judicial are involved or the acts of the judiciary exercised outside of the suit or after the termination thereof, or acts committed during the suit whose execution is of impossible reparation, or which affect persons not parties to the suit, the writ of amparo shall be sought before the District Court within whose jurisdiction is located the place where the act protested was committed or attempted; the procedure in this case shall be confined to the report of the authority and to a hearing, the call for which shall be issued in the same order of the court as that calling for the report. This hearing shall be held at as early a date as possible, the testimony of both parties offered, arguments heard which shall not exceed one hour for each side, and finally the judgment which shall be pronounced at the same hearing. The judgment of the District Court shall be final, if the interested parties do not appeal to the Supreme Court within the period set by law and in the manner prescribed by Clause VIII.

In case of a violation of the guarantees of Articles 16, 19 and 20, recourse shall be had through the Appellate Court of the court committing the breach or to the corresponding District Court. An appeal against the decision of any of these courts may be taken to the Supreme Court.

If the district judge shall not reside in the same locality as the official guilty of the violation, the judge before whom the petition of amparo shall be submitted shall be determined by law; this judge shall be authorized to suspend temporarily the execution of the act protested, in accordance with the terms established by law.

X. Any official failing to stay the execution of the act protested, when in duty bound to do so, or when he admits an insufficient or improper bond, shall be turned over to the proper authorities; the civil and penal liability of the official shall in these cases be a joint liability with the person offering the bond and his surety.

XI. If after the granting of an amparo, the guilty official shall persist in the act or acts against which the petition of amparo was filed, or shall seek to render of no effect the judgment of the Federal authority, he shall be forthwith removed from office and turned over for trial to the corresponding District Court.

XII. Wardens and jailers who fail to receive a duly certified copy of the formal order of commitment within the seventy-two hours granted by Article 19, reckoned from the time the accused is placed at the disposal of the court, shall bring this fact to the attention of the court, immediately upon expiration of this period; and if the proper order be not received within the next three hours the accused shall be set at liberty.

Any official who shall violate this provision and the article referred to in the foregoing paragraph shall be immediately turned over to the proper authorities. Any official or agent thereof who, after an arrest has been made, shall fail to place the accused at the disposition of the

court within the next twenty-four hours shall himself be turned over to the proper authority.

If the detention be effected outside the locality in which the court is situated, there shall be added to the period mentioned in the preceding sentence the time necessary to travel from the said locality to that where the detention took place.

TITLE IV

Of the Responsibility of Officials

Art. 108. Senators and Representatives of Congress, Justices of the Supreme Court, Secretaries of Executive Departments and the Attorney General of the Republic shall be liable for all common offenses committed during their term of office, as well as for all official offenses or acts of commission or omission in which they may incur in the discharge of their duties.

Governors of States and members of State Legislatures shall be liable for violation of the Constitution and the Federal laws.

The President of the Republic may only be impeached during his term of office for high treason and common offenses of a serious character.

Art. 109. If the offense belongs to the common order the House of Representatives, acting as a grand jury, shall determine by a majority vote of its total membership whether there is or is not any ground for proceeding against the accused.

If the finding be favorable to the accused, no further action shall be taken; but such finding shall not be a bar to the prosecution of the charge so soon as the constitutional privilege shall cease, since the finding of the House does not in any way determine the merits of the charge.

If the finding be adverse, the accused shall ipso facto be removed from office and be placed at the disposition of the ordinary courts of justice, except in the case of the President of the Republic, who may only be impeached before the Senate, as in the case of an official offense.

Art. 110. The States shall have the power to fix among themselves, by friendly agreements, their respective boundaries; but these agreements shall not be carried into effect without the approval of the Congress.

Art. 111. The Senate acting as a grand jury shall try all cases of impeachment; but it may not institute such proceedings without a previous accusation brought by the House of Representatives.

If the Senate should, after hearing the accused and conducting such proceedings as it may deem advisable, determine by a majority vote of two-thirds of its total membership that the accused is guilty, the latter shall be forthwith removed from office by virtue of such decision, or be disqualified from holding any other office for such time as the law may determine.

When the same offense is punishable with an additional penalty, the accused shall be placed at the disposition of the regular authorities, who shall judge and sentence him in accordance with the law.

In all cases embraced by this article and in those included by the preceding both the decisions of the Grand Jury and the findings of the House of Representatives shall be final.

Any person shall have the right to denounce before the House of Representatives offenses of a common order or of an official character committed by high Federal functionaries; and whenever the said House of Representatives shall determine that there exist good grounds for impeachment proceedings before the Senate, it shall name a committee from among its own members to sustain the charges brought.

The Congress shall as soon as possible enact a law as to the responsibility of all Federal officials and employees which shall fix as official offenses all acts, of commission or omission, which may prejudice the public interest and efficient administration, even though such acts may not

heretofore have been considered offenses. These officials shall be tried by a jury in the same manner as provided for trials by jury in Article 20.

Art. 112. No pardon shall be granted the offender in cases of impeachment.

Art. 113. The responsibility for official breaches and offenses may only be enforced during such time as the functionary shall remain in office and for one year thereafter.

Art. 114. In civil cases no privilege or immunity in favor of any public functionary shall be recognized.

TITLE V

Of the States of the Federation

Art. 115. The States shall adopt for their internal government the popular, representative, republican form of government; they shall have as the basis of their territorial division and political and administrative organization the free municipality, in accordance with the following provisions:

I. Each municipality shall be administered by a town council chosen by direct vote of the people, and no authority shall intervene between the municipality and the State Government.

II. The municipalities shall freely administer their own revenues which shall be derived from the taxes fixed by the State Legislatures which shall at all times be sufficient to meet their needs.

III. The municipalities shall be regarded as enjoying corporate existence for all legal purposes.

The Federal Executive and the State Governors shall have command over all public forces of the municipalities wherein they may permanently or temporarily reside.

Constitutional State Governors shall not be re-elected, nor shall their term of office exceed four years.

The prohibitions of Article 83 are applicable to substitute or ad interim governors.

The number of Representatives in the State Legislatures shall be in proportion to the inhabitants of each State, but in no case shall the number of representatives in any State Legislature be less than fifteen.

Each electoral district of the States shall choose a Representative and an alternate to the State Legislature.

Every State Governor shall be a Mexican citizen by birth and a native thereof, or resident therein not less than five years immediately prior to the day of election.

Art. 116. The Powers of the Union are bound to protect the States against all invasion or external violence. In case of insurrection or internal disturbance they shall give them the same protection, provided the Legislature of the State, or the Executive thereof if the Legislature is not in session, shall so request.

Art. 117.

I. Enter into alliances, treaties or coalitions with another State or with foreign powers.

II. Grant letters of marque or reprisal.

III. Coin money, issue paper money, stamps or stamped paper.

IV. Levy taxes on persons or property passing through its territory.

V. Prohibit or tax, directly or indirectly, the entry into its territory, or the withdrawal therefrom, of any merchandise, foreign or domestic.

VI. Burden the circulation or consumption of domestic or foreign merchandise with taxes or duties to be collected by local custom houses or subject the said merchandise to inspection or require it to be accompanied by documents.

VII. Enact or maintain in force laws or fiscal regulations discriminating, by taxation or otherwise, between merchandise, foreign or domes-

tie, on account of its origin, whether this discrimination be established with regard to similar local products or to similar products of foreign origin.

VIII. Issue bonds of the public debt payable in foreign coin or outside the Federal territory; contract loans, directly or indirectly, with any foreign government, or assume any obligation in favor of any foreign corporation or individual, requiring the issuance of certificates or bonds payable to bearer or negotiable by endorsement.

The Federal Congress and the State Legislatures shall forthwith enact laws against alcoholism.

Art. 118. No State shall, without the consent of the Congress:

I. Establish tonnage dues or other port charges, or impose taxes or other duties upon imports or exports.

II. Keep at any time permanent troops or vessels of war.

Make war on its own behalf on any foreign power, except in cases of invasion or of such imminent peril as to admit of no delay. In such event the State shall give notice immediately to the President of the Republic.

Art. 119. Every State shall be bound to deliver without delay to the demanding authorities the fugitives from justice from other States or from foreign nations.

In such cases the writ of the court granting the extradition shall operate as a sufficient warrant for the detention of the accused for one month, in the case of extradition from one State to another, and for two months in the case of international extradition.

Art. 120. The State Governors are bound to publish and enforce the Federal laws.

Art. 121. Full faith and credit shall be given in each State of the Federation to the public acts, records and judicial proceedings of all the other States. The Congress shall by general laws prescribe the manner of proving the said acts, records and proceedings and the effect thereof, subject to the following conditions:

I. The laws of a State shall only be binding within its own confines, and shall therefore have no extra-territorial force.

II. Movable and immovable property shall be governed by the *lex sitae*.

III. Judgments of a State court as to property and property rights situated in another State shall only be binding when expressly so provided by the law of the latter State.

Judgments relating to personal rights shall only be binding in another State provided the person shall have expressly, or impliedly by reason of domicile, submitted to the jurisdiction of the court rendering such judgment, and provided further that personal service shall have been secured.

IV. All acts of civil status performed in accordance with the laws of one State shall be binding in all other States.

V. All professional licenses issued by the authorities of one State in accordance with its laws shall be valid in all other States.

Art. 122. The Powers of the Union are bound to protect the States against all invasion or external violence. In case of insurrection or internal disturbance they shall give them the same protection, provided the Legislature of the State, or the Executive thereof if the Legislature is not in session, shall so request.

TITLE VI

Of Labor and Social Welfare

Art. 123. The Congress and the State Legislatures shall make laws relative to labor with due regard for the needs of each region of the Republic, and in conformity with the following principles, and these principles and laws shall govern the labor of skilled and unskilled workmen, employees, domestic servants and artisans, and in general every contract of labor:

I. Eight hours shall be the maximum limit of a day's work.

II. The maximum limit of night work shall be seven hours. Unhealthy and dangerous occupations are forbidden to all women and to children under sixteen years of age. Night work in factories is likewise forbidden to women and to children under sixteen years of age; nor shall they be employed in commercial establishments after ten o'clock at night.

III. The maximum limit of a day's work for children over twelve and under sixteen years of age shall be six hours. The work of children under twelve years of age shall not be made the subject of a contract.

IV. Every workman shall enjoy at least one day's rest for every six days' work.

V. Women shall not perform any physical work requiring considerable physical effort during the three months immediately preceding parturition; during the month following parturition they shall necessarily enjoy a period of rest and shall receive their salaries or wages in full and retain their employment and the rights they may have acquired under their contracts. During the period of lactation they shall enjoy two extraordinary daily periods of rest of one-half hour each, in order to nurse their children.

VI. The minimum wage to be received by a workman shall be that considered sufficient, according to the conditions prevailing in the respective region of the country, to satisfy the normal needs of the life of the workman, his education and his lawful pleasures, considering him as the head of a family. In all agricultural, commercial, manufacturing or mining enterprises the workmen shall have the right to participate in the profits in the manner fixed in Clause IX of this article.

VII. The same compensation shall be paid for the same work, without regard to sex or nationality.

VIII. The minimum wage shall be exempt from attachment, set-off or discount.

IX. The determination of the minimum wage and of the rate of profit-sharing described in Clause VI shall be made by special commissions to be appointed in each municipality and to be subordinated to the Central Board of Conciliation to be established in each State.

X. All wages shall be paid in legal currency and shall not be paid in merchandise, orders, counters or any other representative token with which it is sought to substitute money.

XI. When owing to special circumstances it becomes necessary to increase the working hours, there shall be paid as wages for the overtime one hundred per cent more than those fixed for regular time. In no case shall the overtime exceed three hours nor continue for more than three consecutive days; and no women of whatever age nor boys under sixteen years of age may engage in overtime work.

XII. In every agricultural, industrial, mining or other class of work employers are bound to furnish their workmen comfortable and sanitary dwelling-places, for which they may charge rents not exceeding one-half of one per cent per month of the assessed value of the properties. They shall likewise establish schools, dispensaries and other services necessary to the community. If the factories are located within inhabited places and more than one hundred persons are employed therein, the first of the above-mentioned conditions shall be complied with.

XIII. Furthermore, there shall be set aside in these labor centers, whenever their population exceeds two hundred inhabitants, a space of land not less than five thousand square meters for the establishment of public markets, and the construction of buildings designed for municipal services and places of amusement. No saloons nor gambling houses shall be permitted in such labor centers.

XIV. Employers shall be liable for labor accidents and occupational diseases arising from work; therefore, employers shall pay the proper indemnity, according to whether death or merely temporary or permanent disability has ensued, in accordance with the provisions of law. This

liability shall remain in force even though the employer contract for the work through an agent.

XV. Employers shall be bound to observe in the installation of their establishments all the provisions of law regarding hygiene and sanitation and to adopt adequate measures to prevent accidents due to the use of machinery, tools and working materials, as well as to organize work in such a manner as to assure the greatest guarantees possible for the health and lives of workmen compatible with the nature of the work, under penalties which the law shall determine.

XVI. Workmen and employers shall have the right to unite for the defense of their respective interests, by forming syndicates, unions, etc.

XVII. The law shall recognize the right of workmen and employers to strike and to lockout.

XVIII. Strikes shall be lawful when by the employment of peaceful means they shall aim to bring about a balance between the various factors of production, and to harmonize the rights of capital and labor. In the case of public services, the workmen shall be obliged to give notice ten days in advance to the Board of Conciliation and Arbitration of the date set for the suspension of work. Strikes shall only be considered unlawful when the majority of the strikers shall resort to acts of violence against persons or property, or in case of war when the strikers belong to establishments and services dependent on the government. Employees of military manufacturing establishments of the Federal Government shall not be included in the provisions of this clause, inasmuch as they are a dependency of the national army.

XIX. Lockouts shall only be lawful when the excess of production shall render it necessary to shut down in order to maintain prices reasonably above the cost of production, subject to the approval of the Board of Conciliation and Arbitration.

XX. Differences or disputes between capital and labor shall be submitted for settlement to a board of conciliation and arbitration to consist of an equal number of representatives of the workmen and of the employers and of one representative of the Government.

XXI. If the employer shall refuse to submit his differences to arbitration or to accept the award rendered by the Board, the labor contract shall be considered as terminated, and the employer shall be bound to indemnify the workman by the payment to him of three months' wages, in addition to the liability which he may have incurred by reason of the dispute. If the workman reject the award, the contract will be held to have terminated.

XXII. An employer who discharges a workman without proper cause or for having joined a union or syndicate or for having taken part in a lawful strike shall be bound, at the option of the workman, either to perform the contract or to indemnify him by the payment of three months' wages. He shall incur the same liability if the workman shall leave his service on account of the lack of good faith on the part of the employer or of maltreatment either as to his own person or that of his wife, parents, children or brothers or sisters. The employer cannot evade this liability when the maltreatment is inflicted by subordinates or agents acting with his consent or knowledge.

XXIII. Claims of workmen for salaries or wages accrued during the past year and other indemnity claims shall be preferred over any other claims, in cases of bankruptcy or composition.

XXIV. Debts contracted by workmen in favor of their employers or their employers' associates, subordinates or agents, may only be charged against the workmen themselves and in no case and for no reason collected from the members of his family. Nor shall such debts be paid by the taking of more than the entire wages of the workman for any one month.

XXV. No fee shall be charged for finding work for workmen by municipal offices, employment bureaus or other public or private agencies.

XXVI. Every contract of labor between a Mexican citizen and a foreign principal shall be legalized before the competent municipal authority and viséed by the consul of the nation to which the workman is undertaking to go, on the understanding that, in addition to the usual clauses, special and clear provisions shall be inserted for the payment by the foreign principal making the contract of the cost to the laborer of repatriation.

XXVII. The following stipulations shall be null and void and shall not bind the contracting parties, even though embodied in the contract:

(a) Stipulations providing for inhuman day's work on account of its notorious excessiveness, in view of the nature of the work.

(b) Stipulations providing for a wage rate which in the judgment of the Board of Conciliation and Arbitration is not remunerative.

(c) Stipulations providing for a term of more than one week before the payment of wages.

(d) Stipulations providing for the assigning of places of amusement eating places, cafes, taverns, saloons or shops for the payment of wages, when employees of such establishments are not involved.

(e) Stipulations involving a direct or indirect obligation to purchase articles of consumption in specified shops or places.

(f) Stipulations permitting the retention of wages by way of fines.

(g) Stipulations constituting a waiver on the part of the workman of the indemnities to which he may become entitled by reason of labor accidents or occupational diseases, damages for breach of contract, or for discharge from work.

(h) All other stipulations implying the waiver of any right vested in the workman by labor laws.

XXVIII. The law shall decide what property constitutes the family patrimony. These goods shall be inalienable and shall not be mortgaged, nor attached, and may be bequeathed with simplified formalities for inheritance.

XXIX. Institutions of popular insurance established for old age, sickness, life, unemployment, accident and others of a similar character, are considered of social utility; the Federal and State Governments shall therefore encourage the organization of institutions of this character in order to instill and inculcate popular habits of thrift.

XXX. Cooperative associations for the construction of cheap and sanitary dwelling houses for workmen shall likewise be considered of social utility whenever these properties are designed to be acquired in ownership by the workmen within specified periods.

TITLE VII

Of General Provisions

Art. 124. All powers not expressly vested by this Constitution in the Federal authorities are understood to be reserved to the States.

Art. 125. No person shall hold at the same time two Federal offices or one Federal and one State elective office; if elected to two, he shall choose between them.

Art. 126. No payment shall be made which is not included in the budget or authorized by a law subsequent to the same.

Art. 127. The President of the Republic, the Justices of the Supreme Court, Representatives and Senators and other public officials of the Federation who are chosen by popular election shall receive a compensation for their services, which shall be paid by the Federal Treasury and deter-

mined by law. This compensation may not be waived, and any law increasing or decreasing it shall have no effect during the period for which the functionary holds office.

Art. 128. Every public official, without exception, shall, before entering on the discharge of his duties, make an affirmation to maintain this Constitution and the laws arising thereunder.

Art. 129. In time of peace no military authorities shall exercise other functions than those bearing direct relation to military discipline. No permanent military posts shall be established other than in castles, forts and arsenals depending directly upon the Federal Government, or in camps, barracks, or depots, established outside of inhabited places for the stationing of troops.

Art. 130. The Federal authorities shall have power to exercise in matters of religious worship and outward ecclesiastical forms such intervention as by law authorized. All other officials shall act as auxiliaries to the Federal authorities.

The Congress shall not enact any law establishing or forbidding any religion whatsoever.

Marriage is a civil contract. Marriage and all other acts relating to the civil status of individuals shall appertain to the exclusive jurisdiction of the civil authorities in the manner and form by law provided, and they shall have the force and validity given them by said laws.

A simple promise to tell the truth and to comply with obligations contracted shall subject the promisor, in the event of a breach, to the penalties established therefor by law.

The law recognizes no juridical personality in the religious institutions known as churches.

Ministers of religious creeds shall be considered as persons exercising a profession, and shall be directly subject to the laws enacted on the matter.

The State Legislatures shall have the exclusive power of determining the maximum number of ministers of religious creeds, according to the needs of each locality. Only a Mexican by birth may be a minister of any religious creed in Mexico.

No ministers of religious creeds shall, either in public or private meetings, or in acts of worship or religious propaganda, criticise the fundamental laws of the country, the authorities in particular or the Government in general; they shall have no vote, nor be eligible to office, nor shall they be entitled to assemble for political purposes.

Before dedicating new temples of worship for public use, permission shall be obtained from the Department of the Interior (Gobernacion); the opinion of the Governor of the respective State shall be previously heard on the subject. Every place of worship shall have a person charged with its care and maintenance, who shall be legally responsible for the faithful performance of the laws on religious observances within the said place of worship, and for all the objects used for purposes of worship.

The caretaker of each place of public worship, together with ten citizens of the place, shall promptly advise the municipal authorities as to the person charged with the care of the said place of worship. The outgoing minister shall in every instance give notice of any change, for which purpose he shall be accompanied by the incoming minister and ten other citizens of the place. The municipal authorities, under penalty of dismissal and fine, not exceeding 1000 pesos for each breach, shall be responsible for the exact performance of this provision; they shall keep a register of the places of worship and another of the caretakers thereof, subject to the same penalty as above provided. The municipal authorities shall likewise give notice to the Department of the Interior through the State Governor, of any permission to open to the public use a new place

of worship, as well as of any change in the caretakers. Gifts of personality may be received in the interior of places of public worship.

Under no conditions shall studies carried on in institutions devoted to the professional training of ministers of religious creeds be given credit or granted any other dispensation of privilege which shall have for its purpose the accrediting of the said studies in official institutions. Any authority violating this provision shall be punished criminally, and all such dispensation of privilege be null and void, and shall invalidate wholly and entirely the professional degree toward the obtaining of which the infraction of this provision may in any way have contributed.

No periodical publication which either by reason of its program, its title or merely by its general tendencies, is of a religious character, shall comment upon any political affairs of the nation, nor publish any information regarding the acts of the authorities of the country or of private individuals, in so far as the latter have to do with public affairs.

Every kind of political association whose name shall bear any word or any indication relating to any religious belief is hereby strictly forbidden. No assemblies of any political character shall be held within places of public worship.

No minister of any religious creed may inherit, either on his own behalf or by means of a trustee or otherwise, any real property occupied by any association of religious propaganda or religious or charitable purposes. Ministers of religious creeds are incapable legally of inheriting by will from ministers of the same religious creed or from any private individual to whom they are not related by blood within the fourth degree.

All real and personal property pertaining to the clergy or to religious institutions shall be governed, in so far as their acquisition by private parties is concerned, in conformity with Article 27 of this Constitution.

No trial by jury shall ever be granted for the infraction of any of the preceding provisions.

Art. 131. The Federal Government shall have exclusive power to levy duties on merchandise imported, exported or passing in transit through the national territory, as well as to regulate at all times, and if necessary to forbid for the sake of public safety or for police reasons, the circulation in the interior of the Republic of all kinds of goods, regardless of their origin; but the Federal Government shall have no power to establish or decree in the Federal District and Territories the taxes and laws to which Clauses VI and VII of Art. 117 refer.

Art. 132. All forts, barracks, warehouses, and other real property, destined by the Federal Government for public service or common use, shall be under the jurisdiction of the Federal authorities, in accordance with the law which the Congress shall issue on the subject; any of these establishments which may subsequently be acquired within the territory of any State shall likewise be subject to Federal jurisdiction, provided consent thereto shall have been obtained from the respective State Legislature.

Art. 133. This Constitution and the laws of the United States of Mexico which shall be made in pursuance hereof and all treaties made or which shall be made under the authority of the President of the Republic, with the approval of the Congress, shall be the supreme law of the land. And the judges in every State shall be bound by this Constitution and by these laws and treaties, anything in the Constitution or laws of any State to the contrary notwithstanding.

Art. 134. Bids shall be called for on all contracts which the Government may have occasion to enter into for the execution of any public works; these bids shall be submitted under seal and shall only be opened publicly.

TITLE VIII

Of Amendments to the Constitution

Art. 135. The present Constitution may be added to or amended. No amendment or addition shall become part of the Constitution until agreed to by the Congress of the Union by a two-thirds vote of the members present and approved by a majority of the State Legislatures. The Congress shall count the votes of the Legislatures and make the declaration that the amendments or additions have been adopted.

TITLE IX

Of the Inviolability of the Constitution

Art. 136. This Constitution shall not lose its force and vigor, even though its observance be interrupted by rebellion. In case that through any public disturbance a Government contrary to the principles which it sanctions be established, its force shall be restored so soon as the people shall regain their liberty, and those who have participated in the Government emanating from the rebellion or have cooperated with it shall be tried in accordance with its provisions and with the laws arising under it.

TRANSITORY ARTICLES

Article 1. This Constitution shall be published at once and a solemn affirmation made to defend and enforce it throughout the Republic; but its provisions, except those relating to the election of the supreme powers, Federal and State, shall not go into effect until the first day of May, 1917, at which time the Constitutional Congress shall be solemnly convened and the oath of office taken by the citizen chosen at the forthcoming elections to discharge the duties of President of the Republic.

The provisions of Clause V of Article 82 shall not be applicable in the elections to be called in accordance with Article 2 of the Transitory Articles, nor shall active service in the army act as a disqualification for the office of Representative or Senator, provided the candidate shall not have active command of troops in the respective electoral district.

Nor shall the secretaries nor assistant secretaries of executive departments be disqualified from election to the next Federal Congress, provided they shall definitely resign from office on or before the day on which the respective call is issued.

Art. 2. The person charged with the executive power of the Nation shall immediately, upon the publication of this Constitution, call for elections to fill the Federal offices; he shall see that these elections be held so that Congress may be constituted within a reasonable time, in order that it may count the votes cast in the presidential elections and make known the name of the person who has been elected President of the Republic; this shall be done in order that the provisions of the foregoing article may be complied with.

Art. 3. The next constitutional term shall be computed, in the case of Senators and Representatives, from the first of September last, and in the case of the President of the Republic, from the first of December, 1916.

Art. 4. Senators who in the coming election shall be classified as "even" shall serve only two years, in order that the Senate may be renewed by half every two years.

Art. 5. The Congress shall in the month of May next choose the Justices of the Supreme Court in order that this tribunal may be constituted on the first day of June, 1917.

In these elections, Article 96 shall not govern in so far as the candidates proposed by the State Legislatures are concerned; but those chosen shall be designated for the first term of two years prescribed by Article 94.

Art. 6. The Congress shall meet in extraordinary session on the fifteenth day of April, 1917, to act as an electoral college, for the com-

puting of the ballots and the determination of the election of President of the Republic, at which time it shall make known the results; it shall likewise enact the organic law of the Circuit and District Courts, the organic law of the Tribunals of the Federal District and Territories, in order that the Supreme Court of Justice may immediately appoint the Inferior and Superior District and Circuit Judges; at the same session the Congress shall choose the Superior Judges and Judges of First Instance of the Federal District and Territories, and shall also enact all laws submitted by the Executive. The Circuit and District Judges and the Superior and Inferior Judges of the Federal District and Territories shall take office not later than the first day of July, 1917, at which time such as shall have been temporarily appointed by the person now charged with the executive power of the nation shall cease to act.

Art. 7. For this occasion only, the votes for the office of Senator shall be counted by the Board of the First Electoral District of each State or of the Federal District which shall be instituted for the counting of the votes of Representatives. This Board shall issue the respective credentials to the Senators-elect.

Art. 8. The Supreme Court shall decide all pending petitions of "amparo," in accordance with the laws at present in force.

Art. 9. The First Chief of the Constitutionalist Army, charged with the executive power of the Nation, is hereby authorized to issue the electoral law according to which, on this occasion, the elections to fill the various Federal offices shall be held.

Art. 10. All persons who shall have taken part in the Government emanating from the rebellion against the legitimate government of the Republic, or who may have given aid to the said rebellion and later taken up arms or held any office or commission of the factions which have opposed the constitutional government, shall be tried in accordance with the laws at present in force, unless they shall have been previously pardoned by the said constitutional government.

Art. 11. Until such time as the Congress of the Union and the State Legislatures shall legislate on the agrarian and labor problems, the bases established by this Constitution for the said laws shall be put into force throughout the Republic.

Art. 12. All Mexicans who shall have fought in the ranks of the constitutionalist army and their children and widows and all other persons who shall have rendered service to the cause of the revolution, or to public instruction, shall be preferred in the acquisition of lots to which Article 27 refers, and shall be entitled to such rebates as the law shall determine.

Art. 13. All debts contracted by working men on account of work up to the date of this Constitution with masters, their subordinates and agents, are hereby declared wholly and entirely discharged.

Art. 14. The Department of Justice is hereby abolished. (As amended May 31, 1921.)

Art. 15. The citizen at present charged with the executive power is hereby authorized to issue the law of civil responsibility applicable to all promoters, accomplices and abettors of the offenses committed against the constitutional order in the month of February, 1913, and against the Constitutionalist Government.

Art. 16. The Constitutional Congress in the regular period of sessions, to begin on the first day of September of the present year, shall issue all the organic laws of the Constitution which may not have been already issued in the extraordinary session to which Transitory Article number 6 refers; and it shall give preference to the laws relating to personal guarantees and to Articles 30, 32, 33, 35, 36, 38, 107 and the latter part of Article 111 of this Constitution.

Signed at Querétaro de Arteaga, January 31, 1917.

SECTION III—TRAVEL AND TRANSPORTATION

TRAVEL IN MEXICO

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The accompanying article aims, in summary fashion, to answer the questions which might occur to one who had never traveled in Mexico, but was desirous of going there.

Is Mexico Safe? Generally speaking, *yes*. Indeed, the qualifications which must be made to this affirmation will seem of less import after one has reached the southern republic, and become informed of real conditions, through his own observation and inquiry. In view of Mexico's record since 1910, one would indeed be rash who would assert that the danger of further serious revolution is past. On the other hand, the country has now enjoyed more than a year of very nearly complete peace, disturbed only by local outbreaks in regions which the tourist would in any event be very unlikely to visit. From the standpoint of the traveler, these are perhaps of less importance than a fairly large strike would be anywhere in the United States, England, or the self-governing British colonies. Even in the event of a revolution developing into veritable warfare, the American citizen or British subject is ordinarily in far less danger than the Mexican non-combatant. Perhaps the only grave peril would be the occurrence of American intervention, in which case there might be a temporary outburst against Americans. Yet thousands of Americans have remained in Mexico during the revolutionary era since 1910, even at times of the several American interventions, without being molested in their persons or property. To sum up, if there is no intimation of general warfare or intervention about to take place, the traveler may dismiss from his mind any hypothetical perils, or newspaper accounts of an uprising in some out-of-the-way district by this or that nonentity, as also the more or less current but inaccurate yarns about the prevalence of Mexican banditry. He may pack his bags and start—and when he reaches Mexico City he will probably wonder why the contingency of danger was even so much as suggested.

When to Go: The answer to this, assuming that the average traveler will prefer to visit the better known parts of the plateau country (see under **Where to Go**), is—any time of the year. The climate of Mexico City, for example, varies little, and is at all

times comfortable, rarely either hot or cold. The climate of Guadalajara is generally accounted better still. The range, indeed, may be considerable, but the extremes are rarely met with. Mexico City has a range of 35° to 90° , but the mean temperature is about 65° . From May or June to September or October is the rainy season, while the rest of the year is dry. In both seasons one ordinarily wears the same weight of clothing—medium or light underwear, according to the state of one's health, and a waistcoat, with a light overcoat at hand in case of need. The overcoat, preferably some form of raincoat, is useful (though not absolutely necessary) in summer when it is raining or in the cool evenings which follow, and in winter in the event of more than usual cold. It is to be noted that there is a great change between day and night temperature of the same day, due to the dryness of the climate and the rarefied atmosphere, for Mexico City has an elevation of 7434 feet and other cities of the plateau approach this altitude.

The winter months have usually been favored by tourists, but the summer is quite as desirable a season. The mornings are almost invariably fresh, bright, and sunny. Rain comes from mid-afternoon to night, but rarely lasts much over an hour, and when it stops, is over for the day. Even then it is not often a heavy rain; usually it amounts to a mild drizzle, and some days it does not rain at all. Old settlers prefer the summer to the winter.

Where to Go: This will depend upon the individual taste or objective of the traveler, as also upon the time and financial resources at his command. Mexico is not only vast in size, but also great in the variety of its attractions. The average first-tripper, however, without special predilection for any particular phase of Mexican life, will perhaps prefer to follow the beaten track. The question then arises as to how much he shall see, whether as many places as he can, in the time he has set apart, or fewer places, with a longer stay in each. The writer would advise the latter plan. He who attempts to see all gets little more than a kaleidoscope of town and country, to the accompaniment of great physical weariness and a feeling of satiety that robs a trip of its pleasure. He who sees less will in fact almost certainly *see more*, for he will have time to investigate, to be a part of the life around him, and, in other words, to fit the people into the picture before his eyes.

On this basis, Mexico City should be the principal objective of the traveler and the place at which he should make the longest stay. Far more than either Washington or New York in the United States, perhaps even more than London in England, Mexico City is the focus of the life of the republic. It is also an excellent center from which to make excursions to numerous

near-by points of interest. Most travelers would perhaps choose Guadalajara, next after the capital, as a place for a prolonged visit. Guadalajara is in a remarkably beautiful section of the republic, and is also representative of the best type of Mexican citizenry, since there the percentage of pure white blood is perhaps the highest of any of the populous regions of the country. These two cities and their surroundings constitute nearly all that a traveler with from one to two months' time ought to attempt seeing on a first trip. Stops of from one to two days may be made at other cities, coming in or going out of the republic. For example, those who enter or depart from Vera Cruz may be interested in that city and Puebla, along the line to Mexico City. Chihuahua or Torreón, Zacatecas or Guanajuato, and Aguascalientes are worthy of special consideration along the route from Ciudad Juárez, opposite El Paso, and Monterrey and San Luis Potosí, possibly also Saltillo, are equally notable on the run between Nuevo Laredo (opposite Laredo, Texas) or Matamoros (opposite Brownsville, Texas) and the capital. Querétaro is an interesting city which is reached by through lines from the north. The writer would advise against trying to visit all these places, however. One factor to be borne in mind is the uncomfortable hours of railway schedules. Trains are few in number, and are apt to run on a schedule adapted to the exigencies of Mexico City, rather than to the cities of the provinces.

Preliminary Preparations: To travel in Mexico one must have a passport from his own national government, duly viséd by an authorized Mexican official. An American, for example, should apply to the State Department of the United States, Passport Division, or, better still, if he lives near a city where there are federal officials, to the passport office at such city. It takes from two or three days to as many weeks to procure a passport, depending principally on one's distance from Washington, whence the document is eventually received. At present, there is a fee of ten dollars for an American passport, good for a year. A like sum is also charged for the *visa* of the Mexican government. The Mexican *visa* may be procured at the point of entry, but much annoyance will be saved if it is obtained beforehand at any Mexican consular office in one's own country.

In general, it is a good plan to do some preliminary reading on the history and life of Mexico before making a trip to that country. It is advisable, too, to procure a guide-book to take along on one's travels. One such is that of T. Philip Terry (*Terry's Mexico*, 2 ed., London, 1911). Though out of date in some particulars, it is perhaps the most reliable, and certainly the most comprehensive in its descriptions of different regions of Mexico, and much of the general information it provides is still applicable. This may be supplemented by other more recent

works; for example, that of Harold R. Maxson. (*A practical handbook regarding Mexico City and vicinity*. Mexico City, 1920.)

A knowledge of Spanish is not essential to the traveler in Mexico, but it goes without saying that it is exceedingly helpful and will add considerably to one's enjoyment of the country. It is worth while, at any rate, to gain a rudimentary knowledge of the language. Some travelers like to do this while they are on the ground, thereby obtaining not only a slight acquaintance with Spanish but also an insight into the meaning of the life around them, of which the teacher will almost surely try to give them some idea.

Foreign paper or silver money is not only not legal tender in Mexico, but people are also forbidden to give or accept it, or even to have it in their possession, under penalty of a fine. Though the law is not strictly enforced, it is best to conform. The traveler should therefore provide himself with gold, or better still with a letter of credit or travelers' checks. These, though expressed in one's own money, are convertible into Mexican currency within the republic. The rate is usually two Mexican pesos for one American dollar. It is best to have only so much actual cash on hand as will meet existing needs. Mexican money, if not procurable at the point of departure, can always be obtained at such border towns as El Paso, Laredo, and Brownsville, and of course also at any Mexican point of entry. One will be wise, however, to get as much as he needs to take him to Mexico City before entering the territory of the republic.

In packing for the journey one should omit everything that he can possibly get along without. Travel becomes a burden to the person who is laden with equipage. It should be remembered, too, that it is possible in Mexico itself to purchase almost anything one is apt to need and quite as well as in one's own country. The not too fastidious man or woman can get along very well on a large suit-case and perhaps a small handbag. In this way, charges for overweight of trunks (which may amount to a considerable figure) and annoying delays in delivery will be avoided, and danger from theft lessened. The element of time—for getting soiled linen laundered and returned, or suits cleaned and pressed—should be the principal factor in the selection of one's wardrobe.

Fine clothes are appreciated in Mexico, as everywhere else. Mexicans, indeed, are great sticklers for the proprieties in matters of dress. On the other hand, English-speaking foreigners are but little given to the practice of appearing resplendent. Most of them are business men of a more or less pioneer type, and care perhaps less for social etiquette than they would in their own countries. On the whole, though, it is wise to take

along evening dress, if one can find room in his grip, especially if he is at all likely to attend any evening function among the Mexicans. The chances are that he will have no occasion to use it, but this is one extra that may well enter into one's plans. Nevertheless, one need not, and therefore ought not, equip himself as if for a sojourn at Newport or Palm Beach.

Some travelers provide themselves with letters to Mexicans or their own countrymen in Mexico. These are of some value but by no means necessary, as one very quickly makes friends in the southern republic.

Getting Into Mexico: Entry into a foreign country is often attended by annoying experiences which give one a bad impression to start with. This is as true of Mexico as of other lands. Certain formalities are always required. First one's passport is inspected. Then come the custom-house officials. Apparel and personal effects are free of duty unless they have never been used. The sanitary division then takes a hand and presumably fumigates one's luggage. Those who enter at Vera Cruz must also pass a medical inspection. It is well to have a certificate of vaccination, though ordinarily it will not be demanded. Inoculation against typhoid fever is desirable, though not required by Mexican law.

The tourist will find the above examinations to be somewhat perfunctory. It is the accompaniments which cause the trouble, notably the cabmen (*cocheros*), porters (*cargadores*), and petty helpers who assist(?) one along the way. One should inquire beforehand what to pay for an automobile or cab, and then stipulate for that price before starting out. The same applies to porters employed for a long carry. The petty pests who open the door of your coach, or carry your bags a few feet to some official inspector, etc., should be rewarded, if at all, with only a few pennies. The writer and a companion recently crossed the frontier at El Paso, employing a better than ordinary automobile, and got aboard the train at Ciudad Juárez after a total expense of one dollar and seventy-five cents gold apiece. The same day a young woman unused to travel and unacquainted with Spanish, paid twenty-eight dollars and a half for the same service, and her chief helper(?), who was an American cabman, left her only when she threatened to call the police. Recrossing the line at the same place, with only a suit-case and handbag the writer expended thirty-three cents; but for the somewhat unnecessary luxury of a porter (twenty-five cents), it would have been eight cents—carfare five cents and bridge toll three cents.

The cautions just set forth apply within Mexico, as well as at the border, but the first pill is usually the bitterest. The route by way of Nuevo Laredo, being a through line from the United States, presents fewest of these difficulties.

Choice of Route: Vera Cruz, Matamoros, Nuevo Laredo, and Ciudad Juárez are just now the principal points of entry into the Mexican republic. It is easiest, perhaps, to take the sea voyage to Vera Cruz, but some extra formalities are required both by one's own government and by that of Mexico, in the case of those who come by sea. Furthermore, it is not always easy at the present time to get comfortable accommodations on good boats. The journey from Vera Cruz to Mexico City takes less than sixteen hours. Nogales is the point of entry for travelers bound for west coast points by the Southern Pacific of Mexico; while Tampico serves as the gateway to the oil fields on the gulf.

All things considered, the routes by way of Matamoros and Nuevo Laredo, joining at Monterrey, are perhaps the most convenient. The sleeping coaches on these lines are under Pullman management, wherefore it is not only possible to arrange for accommodations through to the capital but also the service is reasonably good, if by no means equaling what one is accustomed to expect in the United States. There is no diner, but buffet meals are served. These may be supplemented, if one has no fear of germs, by the thousand and one things that are offered by Indian women vendors at nearly every stop. A ride of some thirty-four hours, from Nuevo Laredo, and thirty-nine from Matamoros, brings one to the Mexican capital.

The route by way of Ciudad Juárez is inferior in that there is as yet no through service from the United States. It is under Pullman management, however, so far as sleeping-coach service is concerned. From the standpoint of the country traversed, this is possibly the most interesting route of all, but is also the longest, requiring more than fifty-four hours for the through trip to Mexico City.

An official time schedule (*Guía Oficial*) for all the railroads of the country can usually be purchased for a small sum, on the train. It is well worth having. Indeed, it contains much useful information in addition to train schedules.

Railway Travel: Long journeys by rail are rather uncomfortable for one accustomed to the cleaner and more thoroughgoing service of lines in the United States. There is a considerable difference in price between Pullman, first-class (ordinary day coach), and second-class, but the traveler will be glad to get the best, such as it is, at any cost.

For short journeys, first-class is suitable, but one must be on the alert if he is carrying baggage. Suit-case stealing is a fine art in Mexico, especially at railway junction towns, such, for example, as Irapuato, on the route to Guadalajara.

Second-class is almost wholly the resort of Indians and such petty "livestock" as dwell upon their persons.

The traveler should be careful of his personal effects on a train—or, indeed, almost anywhere else in Mexico—but should avoid an air of suspicion. Oftener than nine times out of ten he will have no trouble at all.

The inconvenience of railway schedules has already been alluded to—(See under **Where to Go**).

Living Accommodations: Mexico City has many fairly good hotels, but only three, the Imperial, Princess, and Regis, make pretense to being first-class. Even these would hardly rank higher than second grade in any of the large cities of the United States. Hotel rates in the capital are relatively high—about five to ten pesos a day for the lower-priced single rooms, and as much more as one cares to pay. Greater comfort at less cost can be obtained in some of the excellent family hotels and boarding houses of the Juárez and Roma districts, at a distance of some ten to twenty minutes' car-ride from the center. The hotels in or near the center ordinarily have a restaurant attached, but at lodging places farther out one is usually served only with breakfast. Most travelers will prefer to take dinner and supper at some of the excellent restaurants in the heart of the city such, for example, as Bach's, the Globo, Prendes', and Sanborn's, to mention but a few out of many. In these he may safely experiment with Mexican dishes, as well as buy food to which he is accustomed in his own country. The drinking water of the capital is perfectly safe; indeed, it is rarely equaled in any part of the world.

Away from Mexico City one will find reasonably good hotels at very much lower prices. Notions of cleanliness will often be somewhat primitive.

What to Do in Mexico: There are "sights" galore for one to see in any of the much visited parts of the republic. The guide-books are filled particularly with scientific and architectural material, representing everything from archaeological remains, through old Spanish churches, to modern museums. Some in each category the average traveler will certainly wish to visit, but unless he has a special taste for that sort of thing he is apt to become "fed up" before he has covered half what the book tells him to see.

But there are many other things to do which bring one in closer touch with the people, as distinct from their buildings, past or present. There are the various forms of the theatre, bull-fights in the dry season, baseball (at which Mexicans of the capital are exceedingly proficient) all the year around, and the exceedingly skillful game of *frontón* (the Basque *pelota*), usually played at night and depending for its success on the accompaniment of betting.

Most people will find considerable pleasure in casual conversations—in the hotel lobby, at restaurants, or in clubs, whether with Mexicans or foreigners. Mexico itself is an absorbing topic, just now, and nearly everybody has an opinion that is at least interesting. Tourists are hereby advised, however, to let the other fellow do most of the talking. They are also cautioned against becoming “authorities” themselves, as a result of a few weeks’ stay. An occasional dinner with a private family, especially if that family be Mexican, is a happy experience not easily forgotten. It is to be noted, however, that Mexican courtesy goes to extremes never dreamed of by northern people, and one is apt to be embarrassed by kindly attentions unless he is enough of a diplomat to head them off.

Shopping for curios is a practice which many a tourist enjoys. He is hereby warned, however, not to pay the first price asked; he would be regarded as a simpleton if he did. Some of the foreign shops, indeed, advertise and pretty well live up to a *Precio fijo* (fixed price).

There is yet another thing that one ought to “do” in Mexico, and that is “keep his coat buttoned,” or otherwise be on guard against pickpockets. Beware of newsboys thrusting a paper to your face with one hand, while they steal your watch with the other. Beggars should be ignored.

Cost of a Trip to Mexico: Travel in Mexico is not dear. Railroad fare is a little higher than in the United States. Take for example, the run from Nuevo Laredo to Mexico City. Following is the schedule of rates, expressed in pesos:

Kilometres	1st Class	Apartment	Lower	Upper
1290	59.85	38.20	23.10	18.50

In other words, first-class fare is slightly more than four centavos a kilometre, or slightly less than four cents gold a mile. Second-class is less than half as much—but should not be tried. Boat fare from New York ranges from one hundred and eight to one hundred thirty-two dollars gold in first-class. Board and room in the capital are about what they would be in most American cities, but in other parts of the republic are less. One can live comfortably in Mexico City on from five to ten dollars gold a day, and for about three to six dollars in other cities. Any amount beyond these sums will depend upon the luxuriousness or the frivolity of one’s tastes. For a very long stay, still better rates could be made.

General Attitude of the Traveler: The tourist is urgently advised to adopt the point of view that he is a visitor, in a sense a guest, while he is in Mexico. Mexico will prove to be different from the homeland. Otherwise, why go there at all? The newcomer sees defects much more readily than advantages, which

oftentimes (if his own country does not possess them) he will not even understand. He is reminded, too, that Mexico has passed through a period of some ten years of trouble, and cannot yet be expected to put her best foot forward. In any event, if he must criticise, it is suggested that he wait until he crosses the border on the return journey, in the interests of his own countrymen. English is pretty generally understood by educated Mexicans, and it is only natural that they should feel resentful when they hear derogatory remarks about their country, and natural, too, that their resentment should run against the native land of the speaker.

It is to be hoped that the tourist will, in perhaps a small way, serve as an agent in the development of good relations between his own country and Mexico. Indeed, the writer is convinced that the great majority of visitors to the southern republic will find the delights of their trip far outweighing the annoyances. For Mexico, above all—far more important even than its wondrous historic monuments—is a land of *simpatia*, that untranslatable word which stands for an atmosphere of intimately personal, social satisfaction such as one finds only in the Latin world, and Mexico, the old-timers will tell you, possesses this quality at least equally as well as any other country in the world. Let the traveler once catch this spirit, and his journey will have been a success.

THE RAILROADS OF MEXICO

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I. BEFORE THE RAILROADS

Early Methods of Transportation: Before the coming of the railroad, inland transportation in all countries has been limited to waterways, trails, and highways. In Mexico, however, because of the peculiar topographical conditions, inland water transportation has always been insignificant, and such it will continue to be. Old Mexico was preeminently a country of trails and primitive roads; and its transportation agencies were the Indian porter, the pack animal, and the two-wheeled cart. This is also true of modern Mexico in those parts of the country which have not yet been reached by the extending lines of railroads. True, many highways have been constructed, one of the most notable examples—from Vera Cruz to the City of Mexico—having been laid down by the Spaniards; but despite the attempts of the government—as indicated by the many references to highway development in the official reports—Mexico's land transportation needs today are largely served by trails and dirt roads and by railroads.

For this situation there are two explanations. One has been well expressed by Professor Bernard Moses, who says:

"We have to take account of the fact that the Spaniards acquired from the Moors, during their long association with them in the Peninsula, an indifference to roads suited to vehicles with wheels, and that the colonists who went out from Spain in the sixteenth century carried this indifference to the New World. Settlements were made and cities grew to importance, with no other means of communicating with the world at large than that offered by the Indian trail or the mule path.

"This was not a matter of great moment so long as Spain's colonial restrictions on trade were maintained. A few Indians or a few donkeys would carry at a single trip all that any town received from Spain in the course of a year; and the colonists were thus thrown back upon their immediate efforts for the satisfaction of their wants; and the king, by prohibiting their trade with the colonies, emphasized their isolation, and indicated the uselessness of means of communication. This restrictive policy of Spain with regard to her colonies tended to place the European settlers on the economic basis of the Indians."

The other reason lies in the fact that deterioration from natural causes is so rapid in Mexico that the maintenance of a highway requires constant vigilance and heavy outlays of money; in fact, there is little difference in cost of upkeep between a highway and a railroad.

Early Mexican travel books contain many references to the inadequate transportation facilities. Albert M. Gilliam, an American who visited Mexico in 1843 and 1844, thus described the typical Mexican wagon:

"Without exception, the Mexican-constructed wagon has but two wheels, and is manufactured, generally, without the use of iron. The hub is a single cut from a tree, about twenty-eight inches in length and fifteen in diameter. There are but four spokes to a wheel, four inches through; while the felloes are twelve inches thick and as many broad. The whole is made of the heavy, strong wood of the country, and, from its solidity, is difficult to break. The body of the wagon is about equally balanced over the axletree, the front resting upon the tongue.... The body is never planked, but thatched with straw, as also the sharp roof to it.

"From eight to twelve oxen are at a time yoked by the horns, and not with a bow over the neck; while the driver carries a stout pole, from ten to fifteen feet in length, having a sharp metal spur affixed to the smaller end, by the cruel use of which they prick and goad the animals along. It is true that there are some lighter wagons used in the cities, which have two sets of shafts, so that the whole weight of the body of the wagon rests upon the backs of the horses. However, as transportation is carried on the back of mules, they have had but little use of wagons in Mexico."

An English traveler, Charles Lempriere, who was in Mexico in 1861 and 1862, gave a similar report:

"The conveyance of all kinds of merchandise throughout the Republic of Mexico is effected by pack mules and oxen. With this system, and the bad state of the roads generally, it will be easily understood that transportation is not only slow but costly, and forms one of the chief obstacles in the way of the development of the great resources of the country. The average distance performed by mules and wagons is from fifteen to eighteen miles per day."

As to the more primitive transportation agencies, we have this statement made by a writer of the present generation:

"Until the railroads, Mexico was the paradise of the 'packer.' From prehistoric days down, the human back was the cornerstone of commerce; and it did not disappear from the edifice even when the Conquest introduced beasts of burden. Even the interior trade with Durango, Chihuahua and New Mexico occupied 60,000 pack mules. From Vera Cruz to the capital, over wonderful and costly roads...more than \$20,000 worth a year was 'packed.' Indeed, everything of the enormous imported luxury of New Spain came by the same painful process. Even the cacao of Guayaquil and the copper of Coquimbo were shipped to Acapulco, and thence crossed the mountains by muleback clear to Vera Cruz—at \$2 a carga of 81 pounds. As for human

loads—and the Indians still carry their own burdens mostly, instead of employing quadrupeds—the individual achievement is almost as startling as the aggregate....To this day it is a common thing to see a Mexican Indian carrying a backload of 150 pounds twenty miles to market.”

Stages and Stage Lines: The principal trade routes in pre-railroad Mexico were as follows: Vera Cruz to Mexico, via Jalapa; Vera Cruz to Mexico, via Orizaba; Tampico to Mexico, via Pachuca or via San Luis Potosí, Guanajuato, and Querétaro; Natchitoches to Mexico, via San Antonio, Presidio de Rio Grande (or Piedras Negras), or via Laredo, Monterrey, Saltillo and San Luis Potosí; Santa Fé to Mexico, via Paso del Norte (or El Paso), Chihuahua, Durango, Zacatecas and Guanajuato; Mazatlan to Mexico, via Durango; San Blas to Mexico, via Guadalajara and Querétaro; Acapulco to Mexico, via Chilpancingo and Cuernavaca; and Mexico to Guatemala, via Oaxaca. These routes indicate the location of the passes through the mountains which encircle the great central tableland.

Early travelers in Mexico proceeded upon the backs of animals or in some instances in a heavy four-wheeled carriage (*volante*). Litters (*litteras*) borne by mules were also available for travelers on the two highways between Vera Cruz and Mexico, and their use continued long after the introduction of stages. One of the best contemporary descriptions is here reproduced:

“The Mexican littera is a kind of oblong box, about a foot deep, three feet wide and six feet long—unfortunately more frequently shorter than longer. Two long poles passing down and fastened to the sides, project fore and aft, and serve as shafts for two mules, to whose pack-saddle the ends are attached by straps. In short—a long box instead of an upright one—a recumbent and supine position, instead of a sitting one, and two four-footed porters instead of two biped ones—are the main points of difference between the littera and the sedan chair. It is furnished with a leather awning and cotton curtains, and ordinarily with a well-worn mattress, through which you may feel the rough boards upon which you recline.”

The first stage line was established between Vera Cruz and the City of Mexico over the Jalapa route in 1830 by three men from New England whose names have not come down to us. Their coaches, of the “Concord” type, were built in the United States, and their drivers were Americans. In 1833 the business was purchased by Manuel Escandon, who after a number of years sold it to Anselmo Zurutuza, a Spaniard. Under Zurutuza a vast system was developed, and stages or diligencies were put in service in all the populated centers of the country. Upon the advent of the railroads the business fell off, but until the Madero revolution there were still many stage lines in Mexico. A composite description of the early diligence follows:

"The body of the carriage....rests upon two broad leather straps, fastened before and behind to wooden projections rising from the bed. They are very strong, and the whole contrivance, admirably adapted for Mexican roads....The Diligence has three seats, and three persons sit upon each seat, those in the middle row having a leather strap for their backs, movable for the convenience of the passengers behind them. The doors are like ordinary carriage doors in England, and the seats placed across the vehicle. The rain and dust are kept out by means of leather curtains rolled up at the pleasure of the passenger.

"The body is quite independent of the wheels and axles, and is so placed that when the vehicle turns over the upper part immediately separates itself from the lower.

"Four seats are on the top, while the cochero and his assistant occupy the box....Two stout mules occupy the shafts; then four abreast in splinter bars; and in front of all a pair, or sometimes three more."

Upon one point all early accounts agree; that traveling in Mexico was attended by great risk and discomfort. An English traveler who went in a diligence from Vera Cruz to Mexico before the opening of the railroad, gave a vivid description of the trip, from which the following excerpt is presented:

"I have traveled on rough roads in my time, but on such a road as this never. My companion refused for a time to award the premium to our thoroughfare; but, just while we were discussing the question and recounting our experience of bone-smashing highways, we reached a pass where the road consisted of a series of steps, nearly a foot in depth, down which steps we went at a swinging trot, holding on for our lives, in terror lest the next jerk should fairly wrench our arms out of their sockets, while we could plainly hear the inside passengers howling for mercy, as they were shot up against the roof which knocked them back into their seats. Aching all over, we reached level ground again, and Mr. Christy withdrew his claims, and agreed that no road anywhere else could possibly be so bad as a Mexican road; a decision which later experiences only served to confirm.

"Our start, every time we changed horses, was a sight to see. Nine half-broken horses and mules, in a furious state of excitement, were harnessed to our unwieldy machine; the helpers let go, and off they went, kicking, plunging, rearing, biting, and screaming, into ruts and water courses that were like the trenches they make for gas-pipes in London streets, with their wheels on one side on a stone wall, and in a pit on the other, and Black Sam leaning back with his feet on the board, waiting with perfect tranquility until the animals had got rid of their superfluous energy and he could hold them in. We were always just going to have some frightful accident, and always just missed it."

II. THE DIAZ POLICY OF ENCOURAGEMENT

Foreign Investments: Mexican railroad development was the result of foreign capital and enterprise, attracted by national franchises or "concessions" and encouraged by subsidies. This policy was adopted by President Diaz in 1880 after the failure of an attempt to promote railroad building by Mexicans under state concessions. It was continued by his successor, Manuel Gonzales, during the years 1880-1884, and taken up with renewed zeal at the beginning of the long Diaz régime which continued from 1884 to 1911.

In 1876 when Diaz first assumed control, the Mexican Railway, British built, was in operation between the Capital City and the port of Vera Cruz. There was also a small number of lines under state concessions, but the total extent of track in the country was only 416 miles. In 1880, at the end of Diaz' first term, the number of miles had increased to 674. From 1884 to 1910 the system developed from 3682 to 15,360 miles, of which 3025 miles represented small local lines constructed under state concessions.

The result of the Diaz policy in terms of foreign investment can only be stated in general terms and for years for which estimates are available. A careful estimate of American capital in Mexico was made in 1902 by United States Consul Andrew D. Barlow:

"Five hundred million dollars gold is in round figures the American capital invested in Mexico.... This amount has practically all been invested in the past quarter of a century, and about one-half of it has been invested within the past five years.... More American capital is invested in the railroads of Mexico than in any other single line—about seventy per cent of the total. In this line American capital dominates. All of the important railroads in Mexico (except the Interoceanic.... the Mexican Railway.... and the National Tehuantepec Railway....) are owned by American capital....

"Since the construction of the Mexican Central by Americans, some twenty years ago, United States capital has always been the strongest factor in Mexican railroads, and at present it constitutes about 80 per cent of the total capital invested in railroads in this country."

In 1907 it was estimated by the United States Bureau of Manufactures that "American investments in Mexico aggregate probably more than \$750,000,000." By use of Barlow's total of 1902 as a base, the new figure was arrived at by estimating that "the increase since that time has probably averaged over fifty millions annually." "About half of this," it was declared, "has been invested since 1898. About two-thirds of this total is invested in railroads. Of the total investments in Mexican railways eighty per cent belongs to Americans."

A third estimate from an official source was that made in 1912 by Marion Letcher, United States Consul at Chihuahua. This gave the total of American investments as \$1,057,770,000 and the total of British investments as \$321,303,000. The capital invested in railroad shares was declared to be: American \$235,464,000, British \$81,238,000, and Mexican \$125,440,000; in railroad bonds: American \$408,926,000, British \$87,680,000, and Mexican \$12,275,000.

A New York financial journal in 1913 presented estimates of foreign capital in Mexico which it had obtained from well-informed sources. Estimates of American investments ranged from \$600,000,000 to \$1,000,000,000. One gave the source of foreign capital as follows: United States, \$1,000,000,000; Great Britain, \$320,000,000; France, \$143,000,000; other foreign countries, \$118,000,000. These figures substantially agree with those prepared about the same time by a British financial writer who was familiar with Mexican conditions: United States, £211,554,000; Great Britain, £64,260,720; France, £28,698,000.

Nationalization: These estimates measure roughly the stake of foreigners in Mexico. They show the grounds for concern in the United States, particularly, as to the condition and prospects of Mexican railroads. But great as is the interest of foreigners, the interest of the Mexican people is greater. With them it is not a question of possible loss of invested surplus; their concern is the prevention of the demoralization of their whole economic system. Their slogan, "Mexico for the Mexicans," need not carry with it any menace to the interests of foreign investors as such; for no intelligent or responsible Mexican can hope to see his country prosper without foreign capital.

This fact was recognized by Diaz; and while he pursued a policy of encouragement, he also took good care that the terms of all concessions to foreigners should be such as to protect the present and future interests of the country. He furthered development, but not exploitation. When in 1899 he was induced by Limantour to adopt the more restrictive policy embodied in the general railroad law, it was because he had been led to believe that the time had come to build and operate railroads as parts of a comprehensive system, serving all sections of the country to the mutual benefit of the people and the investors. When during 1902-9 Limantour put through his plan for national control of the bulk of the railroad mileage of the country through share ownership, it was not because of hostility to foreign capital as such. It was because of the professed fear that one or the other of the two great trunk lines would pass into the control of an American system and be operated in a spirit of exploitation within the limits of their underlying concessions.

Limantour, himself a man of foreign blood, favored the

investment of foreign capital in Mexico, although he preferred to have it come from Europe so as to prevent the financial domination of Mexico by the capitalists of the United States. That his anti-American attitude was not shared by his chief is indicated by the fact that Diaz himself was induced in 1905 to favor the construction of the Southern Pacific line from Guaymas to a connection with the City of Mexico at Guadalajara.

Limantour's nationalization plan involved the formation of a new corporation, the National Railways of Mexico, in which the government should own a majority of the shares. This plan was carried out in 1909; and in 1910 the new corporation controlled the following standard lines:

Mexican Central Railway; American, British, and German capital.

National Railroad of Mexico; American, British and Mexican capital.

Mexican International Railroad; American capital.

Pan-American Railroad; American capital.

Vera Cruz and Isthmus Railroad; American and Mexican capital.

It also controlled the following narrow-gauge lines:

National Railroad of Mexico, Morelia Branch; American, British and German capital.

Hidalgo and Northeastern Railroad; Mexican capital.

Michoacan and Pacific Railway; British capital.

Interoceanic Railway; British capital.

Mexican Southern Railway; British capital.

The system included 6212 miles of standard-gauge line and 1545 miles of narrow-gauge line. With yards and sidings the total trackage was 8392 miles. It touched the Texas frontier at Juarez, Piedras Negras, Nuevo Laredo and Matamoros; the Gulf coast at Tampico and Vera Cruz; the Pacific coast at Manzanillo; and the Guatemala frontier at Suchiate, on the river of that name.

At the same time the government controlled the Tehuantepec National Railway through a partnership agreement with S. Pearson and Son, Ltd., entered into in 1902. This standard-gauge line of 220 miles, extending from Salina Cruz on the Pacific to Puerto Mexico on the Gulf, served to connect the Pan-American Railroad and the Vera Cruz and Isthmus Railroad.

Independent Lines: Among the larger independent railroads were the following:

Southern Pacific Railroad of Mexico; American capital.

Mexico North Western Railway; British and Canadian capital.

Mexican Railway; British capital.

Kansas City, Mexico and Orient Railway; American, British and Dutch capital.

Mexican Northern Railway; American capital.

Nacozari Railway; American capital.

Parral and Durango Railroad; American capital. Part narrow gauge.

United Railways of Yucatan; Mexican capital. Mostly narrow gauge.

Coahuila and Zacatecas Railway; British capital. Narrow gauge.

The total extension of all such lines, excluding those built under state concessions, was 3883 miles. The national government exercised direct control over more than half of the railroad mileage of the country and over two-thirds of the lines of primary importance. This was the situation at the outbreak of the long period of revolution and banditry.

III. THE PERMANENT WAY AND STRUCTURES

General Routes: As set forth in the general railroad law of 1899 or in subsequent declarations, it was the policy of the Diaz government to favor the construction of railroads projected along eight general routes, all of national importance. Before the end of the Diaz régime three of these routes had been opened—by the Vera Cruz and Isthmus, the Pan-American, and the Mexican Pacific extension of the old Mexican Central; and plans for the development of the other routes were in various stages of progress. These routes were:

From the city of Chihuahua to a port in Sonora or northern Sinaloa.

From the City of Mexico to a port in Guerrero.

From Guadalajara to Mazatlan.

From the Tehuantepec line to Campeche, and

From the City of Mexico to Tampico.

In the years since 1910 railroad construction has been attended with great difficulty, due to military operations, activities of bandits, shortage of materials, and lack of funds. Indeed, after 1914 the new mileage was negligible; and it was not until 1919 that really serious efforts at construction were resumed. Nevertheless, taken as a whole, the record of construction during the last decade is not unimpressive; and some of the plans for additional construction are worthy of attention.

Those plans contemplate the completion of the parts of the Diaz program that are unfinished and the construction of new lines which are designed either to link up isolated parts of the national system, to open up new territory, or to facilitate the movement of military forces in the restoration and maintenance of order.

Railroad communication between the central plateau of northern Mexico and the west coast is still barred by the western Sierra Madre range, despite the efforts of several groups of promoters extending over a period of forty years. In the early eighties three lines were projected through that range; but of these the Texas, Topolobampo, and Pacific had only a paper existence, and the Sinaloa and Durango is represented today only by the unimportant line from the port of Altata to Culiacan, now known as the Occidental Railway. The Mexican International was projected as a line to the port of Mazatlan; but it reached no further than Tepehuanes, where work was stopped in 1902.

In the meantime two other projects had been launched; the Rio Grande, Sierra Madre, and Pacific and the Chihuahua and Pacific. These in 1909 passed from American to Canadian control under the name of the Mexico North Western, and through connections were established between Juarez and Chihuahua by 1912.

Before the Chihuahua and Pacific passed from the control of its original owners, it had granted trackage rights over that part of its line from Chihuahua to Miñca and surrendered its franchise across the mountains to the Kansas City, Mexico and Orient Railway, which was forced into receivership in 1912 before any attempt had been made to pierce the mountain barrier. In 1919 the Mexican government announced that work would soon be resumed, under military protection, on that part of the route between Falomir and the Rio Grande.

In the last years of Diaz rule, a short line was begun from Durango to Llano-Grande to open up a rich timber region and also with the idea of ultimately extending westward to Mazatlan. This line was completed in 1913, and in 1919 a further extension of some thirty miles to El Salto was constructed; but no attempt has been made to cross the range to Mazatlan, nor is such an attempt likely for many years.

The Sierra Madre range also blocks the way between the City of Mexico and the port of Acapulco, although a railroad over that route has been the dream of promoters for three-quarters of a century. Acapulco was the western goal of the pioneer Mexican railway which stopped at the City of Mexico, of the Interoceanic Railway which reached the Amacuzac river in Morelos, and of the Mexico, Cuernavaca, and Pacific which halted at the Balsas river in eastern Guerrero in 1899. In 1912 the project was revived and work was begun on a line from Acapulco up the coast toward Zihuatenejos, but suspended after the completion of three miles because of the activity of bandits.

Better results have been obtained over the route between the City of Mexico and Mazatlan. In 1905 Southern Pacific interests obtained a concession for a railroad from Guadalajara to

Mazatlan and also to Guaymas, the southern terminus of the Sonora railway. Construction was pushed with vigor until 1912, when the disturbed condition of the country made further work impossible on the final section through the Sierra Madre between Orendain and La Quemada. This is an extremely difficult route, and it is possible that the route from Orendain to San Marcos, on the Pacific extension of the Mexican Central, will be chosen instead.

A direct line from the Rio Grande at Matamoras through Tampico and across the eastern Sierra Madre to the City of Mexico was the aim of Count Telfener, whose New York, Texas, and Mexico project received some prominence in the eighties. It was also the desire of President Diaz, who in 1904 urged the construction of a railroad from the capital to Tampico. With the development of the rich oil fields in the Tampico-Tuxpam district, the need for better railroad connections became more urgent, and in 1912 work was begun on a line from Tampico to San Francisco, on the Interoceanic Railway, with a branch to Honey. Such a line would effect connections with two railroads running out of the City of Mexico, but there is no immediate likelihood of the construction of the branch to Honey. In 1914 work was suspended after some twenty miles had been built, and little progress has been made since that time.

Later Construction: This completes the record of actual accomplishment upon the more important routes included in the Diaz program. There are other lines, however, which should receive attention. In 1919 a line was under construction in Coahuila, between Cuatro Cienegas and Sierra Mojada to connect the old Mexican International with the Mexican Northern. From Sierra Mojada a further extension is planned to a connection with the Mexico North Western and the Kansas City, Mexico, and Orient at Chihuahua, but the difficulty of the route makes the construction of such a line a remote possibility. In 1919 also the Mexican government ordered the resumption of work—begun in 1911 and suspended in 1913—upon another line in Coahuila, designed to connect Allende, on the Mexican International, with a projected branch of the Kansas City, Mexico, and Orient.

After ten years of intermittent construction a line was opened in 1919 between Canitas, on the Mexican Central, and the city of Durango, putting that city in more direct communication with capital and opening a region rich in minerals. In 1918-19 work was begun on an extension of the Mexican International from Tepehuanes to Guanacevi. The ultimate goal is El Oro, where a connection would be made with the Parral branch of the Mexican Central. The Pacific extension of the Mexican Central was connected with the Morelia branch of the old Mexican National by a line built from Penjamo to Ajuno in 1910-14.

In 1911 the Mexican Southern opened a branch from Oaxaca to Taviche and in 1912, a branch from Oaxaca to Tlacolula. In 1913 the Vera Cruz and Isthmus completed a branch from Burro to San Andres Tuxtla and another branch from Tres Valles to Cerro Colorado, both in the state of Vera Cruz. In 1917 the state of Coahuila began the construction of a short line from Saltillo towards the east, with the immediate purpose of opening mineral lands. This was under construction in 1919. Work was also completed in 1920 on a short line from La Capilla, on the Pacific extension of the Mexican Central, to Chapala on the northern shore of the lake of that name.

In 1920 the reported railroad mileage in the entire country was 16,726, excluding purely local lines under state jurisdiction.

Deterioration and Destruction: The railroads of Mexico were constructed under competitive conditions, with the result that parallel lines were laid down in regions which could not produce enough traffic to make profitable operation possible. One of the arguments advanced in favor of the formation of the great merger and the organization of the National Railways of Mexico was that under the new company such unnecessary and wasteful lines might be suppressed.

The first step in this direction was taken in 1910-11, when operation was suspended on three branch lines aggregating forty-five miles. In 1911-12 one of these branches, twelve miles in length, was taken up; and operations were suspended on 131 miles of the old Mexican International. The lines not in operation during that year aggregated 164 miles; and a total trackage of 289 miles was scheduled for abandonment. During 1912-13 a total trackage of 111 miles was taken up, and fifty-eight miles were reported not in operation. No changes were reported during the following year, and the reports for subsequent years give no information on the subject.

Under normal conditions it is the practice of railroad companies everywhere to improve their physical properties and thus make possible more economical operation and a larger net revenue. Tracks are relaid with heavier rails, new side and passing tracks are built, permanent ballast is placed in the track, grades and curves are reduced, and narrow-gauge track is relaid at standard width. Bridges, trestles and culverts are replaced by more permanent types of structures, and stations and shops are built and enlarged. Provision for work of this nature is generally made out of capital funds. Such work is impossible in times of disorder. Thus it is not surprising to find in the annual report of the National Railways of Mexico for 1914-15 the statement:

"As the company was losing its control over its property, being gradually deprived of its source of revenues, and its financial situation becoming extremely difficult, it is logical to imag-

ine that for the short period (six weeks) of operation under review, there would not perhaps be any important work of betterment, addition or replacement to report...."

In the four preceding years such work has been carried on to the extent of 13,700,000 pesos. Over half of this amount was expended in 1910-11; in 1913-14 the outlay was less than a million pesos. In 1911-12 the Interoceanic completed its Metepec-San Lorenzo deviation, eliminating heavy grades and sharp curves. The record of the last half dozen years is one, not of betterments, but rather of attempts at maintenance and rehabilitation.

Mexico is a country in which railroad property is subject to rapid deterioration through action of the elements, except in the arid sections of the north. There are occasional torrential rains which cause landslides, wash out or soften the roadway, and carry away bridges. Steel bridges and rails are less liable to rust than in the United States, but bridge timbers, piles, and ties wear out rapidly. On the Mexican Railway extensive use has been made of steel ties. Ties of Mexican oak are laid when they can be obtained, but pine ties are in general use throughout the country. They are soft and are easily cut by the rails; they crack in the dry seasons and decay rapidly in the rainy months. In their natural state they will last from eighteen months to two years, and when "treated" they will last from four to six years.

It is obvious that when the work of maintenance is neglected, as it has been during the recent years of political upheaval, a great part of the trackage must be renewed. One of the officers of the National Railways of Mexico has estimated that at least half of the lines must be renewed, and his estimate has no reference to the damage suffered through violence.

When one considers the extent to which the permanent way deteriorates in Mexico through natural causes and the known fact that ordinary maintenance work has been generally suspended, it would appear that the actual destruction of track through the activity of rebels and bandits has been less than the amount indicated by the press reports. However, few lines have escaped such destruction. On the Kansas City, Mexico, and Orient, the road between Marquez and San Sostenes has been practically destroyed. Miles of track on the Mexican Railway have been torn up, necessitating extensive renewals. Considerable track has been destroyed on the Southern Pacific, particularly on that part of the line between Acaponeta and Tepic. The Mexico North Western has suffered relatively more damage than any other railroad in Mexico.

An American engineer thus described the methods of track destruction observed by him in Coahuila in 1913:

"Up to the past six months track destruction has been accomplished either by the use of a wrecking crane, which lifted sec-

tions of rails and ties bodily and piled them up ready for burning, or by the slower process of the claw-bar, wrench and pick. But a Constitutionalist expert devised a new system....

"A trench is dug between two ties, through which a heavy chain is passed around two opposite rails and made fast in the center of the track. To this one end of a heavy steel cable is hooked, the other end being made fast to the coupling on the engine pilot. At the signal the engineer starts his locomotive slowly backward....The rails are torn loose from the spikes that hold them to the ties and are dragged closely together in the center of the roadbed. The ties are loosened from the ballast and dragged into piles, while in many cases the rails are badly bent and twisted by the force applied. A gang of men follows the engine, piling ties on top of the rails and leaving others beneath them. These are then saturated with oil and a match applied. In a short time the ties are consumed and the rails are left lying on the ground twisted and contorted into all sorts of shapes, and of no further use until they have been re-rolled."

Another witness has declared that on the line of the old Mexican Central, "In some places the rebels have even taken scrapers and scraped away the roadbed."

Bridges and trestles are the most vulnerable parts of a line of railroad; for, unlike a track, they can be destroyed with little difficulty, and once destroyed, they are difficult to replace. All accounts agree as to the large number of bridges destroyed in Mexico. Says a vice-president of the Southern Pacific:

"The normal method of procedure included the burning of all wooden bridges in the theatre of operations. The smaller the band, the greater seems its conception of the importance of preventing pursuit by destroying railway bridges. The topography and climatology of Mexico are such that provision must be made for adequate drainage in cases of sudden and severe rainfall. The greater part of these openings are as yet bridged by wooden structures. Traffic can, therefore, easily be tied up and operations nullified by a few bridge burners. The Southern Pacific of Mexico alone has found 300 bridges burned in the last three years."

On the lines of the National Railways, according to the annual report for 1915-16, "it is estimated that from thirty-five to forty per cent of the bridges have been destroyed. Out of these sixty per cent were due to the war and forty per cent to lack of adequate maintenance." In the annual report of the Southern Pacific Company for 1911-12 we are told:

"On the main line from Empalme to Tepic, twenty-three wooden trestles, having a total length of 2985 lineal feet, and on the Corral-Tonichi Branch, four wooden trestles, having a total length of 240 lineal feet, were destroyed by the insurrectos between February 14 and June 30, 1912."

All of the bridges on the Nacozari Railroad were destroyed.

Like bridges, stations and other buildings are easily destroyed; and all reports coming out of Mexico agree that the destruction has been widespread. Says one press report: "Hardly a station has not been burned between Monterrey and Mexico City." An American reporter who entered Mexico at Piedras Negras late in 1915 and traveled by rail southward through San Luis Potosi wrote: "Every station was gone, and every freight shed, and most of the miserable little section houses which had sheltered a poor family. Telegraph wires were down. Water tanks had been blasted to pieces; one that we passed standing full 200 feet, and right side up, from its ruined foundations." Tanks have been riddled with bullets and shops have been destroyed.

In the year 1912-13 the Interoceanic reported the loss or damage of fifteen stations. The annual report of the National Railways of Mexico for 1915-16 says:

"The buildings, signals, water and fuel stations, and other similar structures have also suffered considerably because of the war, especially on the San Luis Potosi, Aguascalientes and Northern divisions, and along the lines of the Interoceanic and Mexican Southern Railways."

Rehabilitation: Information as to the extent to which railroad property has been restored or replaced is quite as difficult to obtain as information as to the extent of destruction, and for similar reasons. Unofficial statements are incomplete and in conflict with each other and also with the official reports, which are admittedly no more than careful estimates. Unquestionably some of the optimistic statements as to work done include work that is in progress as well as work that is proposed.

In general, it may be said that, although many lines have been out of service for considerable periods, the work of repair of roadway, superstructures, and bridges has closely followed destruction. In some cases this work has been done by the companies themselves; in others the military authorities have done such work as was necessary to make possible the movement of troop trains. Thus metal bridges have been replaced by wooden bridges, trestles have been restored, and rails have been relaid. In some places this has had to be done several times, as the conflicting forces alternately came into control. The Southern Pacific rebuilt one bridge nine times, five times in a single month. Work of this nature, done under limitations both of time and of materials, is likely to be inferior and temporary in character; and we learn of the loss through floods of wooden bridges which had been built as substitutes for the steel structures that were destroyed.

The main line of the old Mexican National, all accounts agree, is in good condition. The same seems to be true of the lines from Matamoros to Monterrey, from Paredon to Saltillo, from Tampico to San Luis Potosi, from Mexico to Toluca, and from Mexico to Irapuato, Guadalajara, and Aguascalientes. The lines of the Mexican Railway, the Vera Cruz (Mexico) Railway, the Mexican Southern, the United Railways of Yucatan, the Tehuantepec, and a part of the Southern Pacific are reported to be in good or fair condition. This list is not inclusive. A work program of the National Railways appeared in the annual report for 1915-16 under the title "Estimate of the probable cost of repairing and reconstructing the properties." A summary of totals follows:

Tracks	27,393,617 pesos
Bridges	8,558,048 "
Buildings	3,922,000 "
Equipment	9,000,000 "

Total 48,873,665 pesos

These figures will have to be considerably increased on account of the rise in prices and the wear and tear of subsequent years. In 1919 a commissioner was appointed to prepare a new official estimate. His report, made public in February, 1921, estimated that immediate reconstruction needs of the railroads under government operation would call for an outlay of 15,000,000 pesos. In view of the figures given above this would seem to be an understatement. Annual maintenance requirements were estimated at 14,000,000 pesos.

To restore the Mexican Railway to its former condition it has been estimated that an outlay of £2,000,000 will be required.¹ The Southern Pacific estimated that on December 31, 1919, the value in pesos of property destroyed since 1910 was 4,898,700.² As early as 1913 the damage wrought to the property of the Mexico North Western was estimated at £1,000,000. A recent estimate of the cost of restoring the Tehuantepec line is \$15,000,000.

The Fall sub-committee of the United States Senate committee on foreign relations estimated that the damage to American railroad property in Mexico amounts to \$112,000,000.

IV. THE EQUIPMENT SITUATION

Revolutionary Losses: Statements, official and unofficial, as to the destruction of railroad equipment are in hopeless conflict and confusion. It is known that all lines have suffered, but the

¹In 1920, the Mexican government agreed to pay 200,000 pesos monthly, on account of damage claims to this road.

²Evidently incorrect. The losses sustained by the Southern Pacific were many times the sum here mentioned.—Ed.

evidence is fragmentary and misleading. From the annual reports of the National Railways of Mexico it would appear that the number of cars of all varieties lost, destroyed, or condemned in the years 1911-17 was about 9250. In other words, over 40 per cent of the rolling stock owned on June 30, 1911, or purchased within the next six years, was out of service. The loss of locomotives was several hundred.

This estimate is presented for what it is worth. It is based upon figures which, in the light of subsequent returns, would appear to understate the loss. Conservative as it certainly is, it shows a most serious shrinkage in facilities. It agrees roughly with the recent estimates of representatives of the National Railways, which places the loss in cars alone at 10,000. Similar estimates for the controlled and independent lines would be equally impressive.

Lack of data makes it impossible to present estimates of the losses of the controlled lines, but some significant facts are available. On the Interoceanic there were 1304 cars in 1911 and 1102 in 1917; on the Mexican Southern the number of cars shrunk from 335 to 274 in that period. The equipment figures of the Vera Cruz and Isthmus and the Pan-American railroads are lumped in the official reports. They show that in 1913 there was a total of 695 cars and thirty-five locomotives. The corresponding figures for 1917 were 548 and twenty. There has been enough shifting about of the equipment of the lines operated by the government to make the figures for subsequent years of no value. Little can be said of the equipment of the independent lines, most of which are located in regions where the disturbance has been greatest; but that the losses have been heavy, both from destruction and seizure, is certain. Some of the equipment of the Mexican Railway, especially sleeping cars, has been taken and distributed over the government lines.

American railroads also have suffered loss of their equipment in Mexico. In 1916 it was reported that the Southern Pacific system had 1200 freight cars lost "somewhere in Mexico." Late in 1920 it was announced that the Mexican government had agreed to pay \$388,000 (and had made an initial payment of \$120,000) for 468 American cars delivered prior to January 1, 1918, and interest thereon to January 1, 1921, amounting to \$98,000.

As to the methods employed in the destruction of rolling stock, a description is hardly necessary. The following account is perhaps exceptional, but it is presented as a pertinent piece of evidence:

"Among the worst of the innumerable acts of vandalism committed by the different warring factions in Mexico, the destruction wrought on the property of the National Railways in

Monterrey by Carrancistas on the eve of their recent evacuation of the city probably caps the climax. When the near approach of the Villa forces made it apparent to the Carranza followers that they would have to abandon the town, it was decided to celebrate their coming departure with an orgy of anarchy. Locomotives were sent out to gather up all the box cars of the adjacent divisions of the railway and bring them to Monterrey for the purpose of making a bonfire of them. These cars—more than 600 in number—were hauled into town and lined up on the extensive division terminal tracks. On the last night the Carrancista officers gave an elaborate ball in the handsome passenger station of the National Railways, which ended with a mock ceremony in which the torch was applied to the costly passenger station and to the 600 box cars. Within a few hours all of this property was in ruins.”

As to the condition of the rolling stock that has escaped destruction, all accounts agree that it is poor. “The remaining rolling stock is generally in poor condition and a good part of it—principally the locomotives—can hardly continue in service unless properly repaired,” says the annual report of the National Railways for 1915-16. Again, “Much of the equipment (recovered from the military chiefs) had to be submitted to costly and important repairs, not only because of rough handling received in the campaign, but also because of the defacements and mutilations, so to speak, to which much of it had been subjected to adapt them for dwelling purposes. For instance, many of the box cars had windows cut in them, the seats of many passenger cars were missing, and in their stead were constructed grotesque wooden partitions to transform them into special or ambulance cars, etc.” As a bit of detailed description, the following is presented from the account of an American reporter:

“Our car was a wonder. Every seat had been stripped clean of its upholstery, the patriots having taken it to use for saddle cloths or for dresses for their women. Some of the seats had been removed altogether. Every window was kicked out. It was especially interesting to nervous people to note that the bell rope was gone.... There were no lamps in the cars.”

Attempts at Replacement: Efforts have been made to replace lost equipment and to repair such equipment as is capable of repair. This has been difficult on account of the rise in prices of materials and the embargo on shipments from the United States, both caused by the European war. The shops of the National Railways at Piedras Negras, Monterrey, Aguascalientes and Mexico City have been busy on repairs to rolling stock; and some locomotives have been repaired under contract at shops in the United States.

Except during the years 1910-11 purchases of new equipment by the National Railways during the revolutionary period were

small. In that year 3888 cars and twenty locomotives were acquired at a cost of over 7,000,000 pesos. During the next five years less than 800 cars were added, at a cost of about 1,375,000 pesos. Late in 1916, 560 cars and twenty locomotives were bought. Information as to more recent activity is fragmentary. "Within the last six months," said the Mexican News Bureau under date of November, 1917, "there have been purchased 600 freight cars, 80 passenger cars and 60 locomotives. Three thousand cars are now under repair in the company's own shops, which when completed will bring the equipment practically to the same point as in 1913—in fact, it is already larger, so far as regards locomotives and passenger coaches, but a trifle less in regard to freight cars." It is known that in that year the Delaware, Lackawanna and Western Railroad sold to Mexican agents a large number of wooden passenger cars. In a message submitted by President Carranza in September, 1917, is this statement:

"For all the work of the railways we have 364 locomotives, including some which belong to private individuals. This number represents approximately 50 per cent of what was used by the former National Railways at the beginning of 1913. Materials have been ordered from the United States and are already beginning to be received, with which 270 locomotives will be repaired. There will also be repaired another 190 locomotives within a short time, these being locomotives which at all times have been in use but which are in poor condition, due to hard service. Contracts have also been made with the great locomotive shops of Houston and Kingsville for the periodical repair of locomotives in groups of five with the object of pushing ahead the work of repair which cannot be done so quickly in the Mexican shops, and thus there will be obtained a monthly increase in the number of locomotives in use. The number of cars at present in use for commercial traffic is 13,326. The number in 1912 was 19,523. This makes an appreciable difference, owing to the number of cars destroyed during the revolutionary period, but there remain approximately 3000 cars which may be reconstructed, and up to date there have been repaired 800 of these."

In 1919 representatives of the national lines were again in the American market negotiating for passenger and freight cars. That the need was pressing is evident from the figures given in the presidential message of September, 1919. At that time the national system had 443 locomotives, 10,780 freight cars, and 417 passenger, express and baggage cars. In 1920 there were 512 locomotives in service, 103 under repair, and 326 awaiting materials for repair; 489 passenger, express and baggage cars, and 13,256 freight cars.

This means that there is need in Mexico for a great variety and amount of railroad materials and supplies for repairs and

also for equipment at a time when the world is passing through a period of economic readjustment which is characterized by an urgent demand for the depleted stock of goods.

According to one estimate there is now a shortage of 240,000 cars on the railroads of the United States, and 235,000 in addition will be required for replacements in the next three years. Another estimate is 100,000 freight cars, 4000 passenger cars, and 2000 locomotives for immediate use. Either estimate is sufficiently large to indicate the extent of the competition which the railroads in Mexico must meet. They may be able to obtain some equipment from European sources, but it would seem as if they must place chief reliance upon the possibility of obtaining second-hand equipment from the United States. In any event, they must face the fact that railroad equipment has tripled in price within the last six years.

V. THE CLAIMS OF INVESTORS

Government Lines: Something has been said already as to the claims of railroad corporations against the Mexican government on account of destruction or seizure of property. There are also intercorporate claims which need not be considered here. It remains to consider the claims of security holders against the corporations themselves; claims which the corporations can pay only as they may be able to recover from the government. These claims are of two sorts. Secured creditors—holders of receivers' certificates, bonds or debentures, and secured notes—have preferred claims to the amount of the principal of their holdings and of the arrears of interest thereon; claims which in some cases are guaranteed by the Mexican government. Holders of unsecured notes or certificates of indebtedness and of income bonds have claims which are next in rank. And shareholders have claims to any surplus, whether applied to betterments or distributed in the form of dividends. Below are set forth some of the salient facts as to the claims of investors; the principal sums involved, and the extent to which interest and dividend payments have been made.

The outstanding share capital of the National Railways of Mexico on June 30, 1919, amounted to 448,148,917 pesos, of which 149,606,933 pesos was represented by common shares, 57,662,000 pesos by first preferred shares, and 240,879,983 pesos by second preferred shares. Dividends were paid on the first preferred shares through 1913. The secured debt, direct and assumed, was 474,415,556 pesos, distributed as follows:

Bonds:	Pesos
Prior Lien 4½s.....	169,608,230
General 4s (guaranteed principal and interest by Mexican government).....	101,497,150
N. R. R. Prior Lien 4½s.....	46,000,000
N. R. R. First Consolidated 4s.....	49,480,000
M. Int. R. R. Prior Lien 4s.....	11,700,000
M. Int. R. R. First Consolidated 4s.....	8,413,000
V. C. and P. R. R. First 4½s.....	14,000,000
P.-A. R. R. First 5s.....	4,006,000
P.-A. R. R. General 5s.....	2,968,000
M. C. Ry. Equipment and Collateral 5s..	900,000
M. C. Ry. Car and Locomotive Rental	
Notes	1,324,913
Secured Notes:	
Two-yr. 6% (due June 1, 1915).....	53,460,000
Three-yr. 6% (due Jan. 1, 1917).....	4,920,650
Series B, 6% (due Jan. 1, 1917).....	3,019,504
Series C, 6% (due Jan. 1, 1917).....	1,626,109
Three-mo. 6% (due June 1, 1915).....	1,492,000

The company was also liable for the payment of principal and interest charges on the securities of the old Mexican Central Railway which had not been presented for conversion, of which there were outstanding on June 30, 1919, a total of 3,056,845 pesos. It was further liable to the amount of 651,200 pesos, representing shares of the Mexican Central, Mexican National, and Mexican International still in the hands of the public.

According to the balance sheet as of June 30, 1919, the company was indebted for interest on bonds and notes 95,481,000 pesos, for secured notes payable 64,518,263 pesos (as above), for unsecured notes 2,806,000 pesos, and for accounts payable 16,025,552 pesos. The five issues of secured notes represent obligations incurred in 1913 and 1914 to provide for interest charges prior to October 1, 1914, while the unsecured notes were issued in connection with the purchase of Pan-American railroad notes.

The finances of two of the subsidiary companies, the Michoacan and Pacific and the Interoceanic, are reported separately. The Michoacan and Pacific Railway, a leased line of the National Railways, has a share capital of £60,000. It also has a funded debt of £75,100, of which £15,100 are Prior Lien Debenture 6s and £60,000 Registered Debenture 6s. Interest on the former was last paid in July, 1903, and on the latter in July, 1914. The amount of interest due on December 31, 1916, was £50,865.

The National Railways of Mexico controls the Interoceanic Railway through ownership of about £2,500,000 of its capital

issues. The share capital of the Interoceanic amounts to £4,100,000, of which £1,700,000 is ordinary stock £1,400,000 non-cumulative first preference 5 per cent stock, and £1,000,000 non-cumulative second preference 4 per cent stock. The secured debt is £2,919,459, represented by £1,150,000 Debenture 4s, £1,300,000 Second Debenture 4½s, and £469,459 Series "B" Debenture 7s. Dividends were paid on the first preference shares in 1913 and on the second preference shares in November, 1912. No interest has been paid since 1913 on the Debenture 7s, which are contingent upon earnings. Deferred warrants, bearing 5 per cent interest, have been issued in lieu of interest payments on the Debenture 4½s since 1914 and on the Debenture 4s since 1915 under a moratorium granted by the debenture holders and extending to May 29, 1922. As of June 30, 1918, the company had an unfavorable balance "net revenue account" to the extent of £1,034,801.

The Interoceanic Railway controls the Mexican Eastern Railway through ownership of its entire capital stock of £10,000. Interest payments due since June 15, 1914, on the outstanding £400,000 debentures have been made in the form of 5 per cent certificates of indebtedness, under a moratorium agreement that was last extended to May 29, 1922.

The Mexican Southern Railway, operated by the Interoceanic under a lease, has a share capital of £1,000,000, on which dividends were paid in 1913. There is also an issue of £861,775 Debenture 4s, on which 5 per cent certificates have been issued since 1915 in lieu of interest. As no rentals were received after June 30, 1914, the moratorium was extended to April 27, 1920. Further information is lacking.

Both the National Railways and the Interoceanic are interested in the Vera Cruz Terminal Company. Control of the Vera Cruz Terminal is represented by shares held by the Mexican, Interoceanic, Vera Cruz and Isthmus, and Vera Cruz (Mexico) railways and the Mexican government. There are £1,080,000 in bonds outstanding, of which £992,500 are Debenture 4½s and £87,500 Second Debenture 5s. Interest is guaranteed by the four railroads using the property, but no payments have been made since July 15, 1915.

Independent Roads: Many of the smaller independent railroads in Mexico are owned by mining interests, and their finances if reported have no general interest. Information as to the more important of the independent companies is given below:

The Southern Pacific Railroad of Mexico has no bonded debt. Its entire capital stock, \$75,000,000, is owned by the Southern Pacific Company, to which it was indebted for advances, largely for construction, and for accrued interest thereon to December 31, 1919, to the amount of \$77,089,563.

The Mexico North Western Railway has a share capital of \$25,000,000, upon which no dividends have ever been paid. Its outstanding bonds amount to £8,021,000, divided into three classes: Prior Lien 5s, £1,671,000; First 5s, £5,600,000, and Cumulative Convertible Income 6s, £750,000. The Income bonds were issued July 1, 1912, and no interest has been paid on them. The Prior Lien bonds, issued in 1913 and 1914, have been in default as to interest since September 1, 1914; and the interest on the First 5s has been unpaid since March, 1913. Receivers' certificates to the amount of \$400,000 were outstanding at the end of 1920.

The Mexican Railway has three classes of shares outstanding, the total being £5,820,760. They are as follows: ordinary, £2,254,720; first preference 8%, £2,554,100; and second preference 6%, £1,011,960. No dividends have been paid since 1915. The funded debt amounts to £2,480,700, of which £2,000,000 are Perpetual Debentures, and £477,400 Second Debentures. Interest payments since 1914 have been deferred under moratoria which have been extended respectively to January 1, 1922, and April 1, 1922. The amount of deferred interest certificate outstanding on January 1, 1920, was £805,820.

That part of the Kansas City, Mexico and Orient Railway located in Mexico was placed in the hands of receivers in March, 1912, as an incident to the receivership of the line in the United States. It was not included in the unsuccessful plan of reorganization of the latter in 1913, and no information has been made public as to its finances.

The Mexican Northern Railway has a share capital of \$3,000,000, the latest dividend on which was paid in 1913. Its bonded debt is \$677,000. Interest payments have been regularly made, but the sinking fund has not been operative since 1913.

The Parral and Durango Railroad's share capital is \$1,000,000, and it has outstanding \$574,000 in General 6 per cent bonds. No dividends have been paid on the shares and no reports have been made public since 1915. Under an agreement with the bondholders, sinking fund payments on the bonds were suspended for a five-year period ending January 1, 1921, the term of the bonds being extended correspondingly.

The share capital of the United Railways of Yucatán is 23,000,000 pesos. There is outstanding £825,000 First 5s, interest on which was paid through April 1, 1917. The latest dividend on the shares was paid in 1912.

VI. RESULTS, POLITICAL AND ECONOMIC

Agriculture and Commerce: One of the greatest changes wrought by the railroad has been in agricultural development. It has put new lands under cultivation and has broken down the

barriers between producer and consumer. It has reduced the frequency and intensity of famines, and it has tended to reduce prices of necessities to a more common level. By providing markets, it has stimulated the introduction of better equipment and machinery for harvesting, but it has done little, nor could it have done much, to overcome the reluctance of the laborer to adopt new facilities for working the soil and planting.

Commerce, both domestic and foreign, has been increased by the advent of the railroad, but there was comparatively little at the outset, so an increase was to have been expected. Communities, shut in by mountain barriers and connected only by primitive roads, have been relieved from isolation, and trading relations have followed as a matter of course. Much was expected of the railroads connecting Mexico with the United States, but it is significant that while the United States is Mexico's best customer, the bulk of Mexico's foreign trade passes through its ports.

The railroads, in their attempts to encourage the development of commercial activity, have been hampered by an antiquated fiscal system, inherited from Spain, which tends to discourage production, erects artificial barriers between different sections, and makes difficult the maintenance of ordinary highways. They have contributed to the promotion of industry, but often in lines which the country was not prepared to enter on terms which would benefit the consumer. This is not the fault of the railroads, but of the nation whose high protectionism has only served to increase inequalities in the distribution of wealth.

Handicaps and Failures: As has been shown, there were two theories underlying railroad promotion in Mexico. The most commonly accepted was that of the direct line to a port or to the northern border. It was this motive that was behind the Mexican National project. On the other hand the Mexican Central was designed to develop the country through which it ran, extending branches to sources of production and absorbing feelers as they could be obtained. Both projects must be counted as failures, measured by American standards; but the Mexican Central failed, not because its theory was wrong, but because it was too heavily capitalized to await the slow progress of internal development. The mistake made was in assuming that what could be done in the southwestern part of the United States could be done with equal speed south of the Rio Grande, where conditions were more essentially different than they appeared to the men of Boston whose monument is the Atchison.

If anything were needed to condemn the shortsightedness of those who advocated the short-line theory it is the large number of lines which have been built by mining interests. Such

lines in other countries are built not by the industrial interests to be served, but by the railroads, and often on their initiative.

Another unfortunate mistake, which has tended to retard internal development, was the maintenance of high freight rates based upon the "what-the-traffic-will-bear" theory. The Mexican Railway has been the most conspicuous offender in this respect; but no line has been free from the practice. This has tended to place emphasis upon mining products and other forms of traffic which could stand the high rates and yet yield a profit; but it ignored the less important business, capable of great development, which was based upon the normal activity of the communities served by the railroads. There is something wrong about a practice which allows a railroad to be underbid on low grade traffic along its own route and by an Indian and his donkey; and yet we are told that "even such cheap and heavy goods as coarse terra-cotta jars are still carried by men from the valley of Toluca to the City of Mexico, along the highway which, for some part of the distance, runs parallel with the Mexican National Railway." This sentence was written a quarter of a century ago, but the condition which it reflects is much less remote.

Much has been made of the argument that the railroad is a pacifying agent, and that with its introduction throughout Mexico the country would be ensured a stable government and a high standard of public order. In a book which appeared as recently as 1914 we find the statement, so frequently seen in earlier works on Mexico, namely:

"Railway extensions have greatly diminished the chances of successful revolution. In the old days it took so long to travel from the capital to any of the big provincial centers that revolution might be brought to a successful issue before any considerable body of government troops could arrive. All this is changed now, as with the aid of railways, telegraphs, and telephones, troops can be concentrated at any place by special train at a few hours' notice. With such a strong government as Mexico at present possesses, there is consequently little chance of a revolution succeeding, even temporarily." This was written, of course, before the fall of Diaz, and allowed to reappear in a revised edition which would be the cause of mirth to one Francisco Villa, if it should ever be brought to his attention. As an inducement to foreign investment, this sort of statement was effective. As an argument it was a good one; until it became apparent that employment given by the railroads and by the other foreign enterprises which have been established had helped to create that long-sought-for middle class to which may be attributed the credit for overthrowing Diaz and his successors in a blind attempt to attain social justice.

It is not the purpose of the foregoing pages to deny that from the standpoint of national wealth and welfare the result of the introduction of railroads into Mexico has been beneficial to the country and to its people. The foundation work has been done, and with the development of some additional extensions and many branches, Mexico's railroad system can do its part in the reconstruction period that now seems to be approaching.

Those who are fond of appearing as sponsors for backward nations frequently resort to the charge that many of the evils complained of are the result of exploitation by foreign capitalists and their agents. By very few writers, however, has this charge been made against the owners of Mexican railroads. Money has been made in Mexico, as elsewhere, by successful promoters whose profits came from construction-company contracts; but much money has also been sunk in unsuccessful projects, and Mexico's greatest railroad, the Mexican Central, was constructed without the intervention of a construction company. Investors in railroad bonds had no grounds for complaint until after the Diaz régime. Shareholders are on a speculative basis, their hope being that Mexico will some time become stabilized and that they may then share in the prosperity toward which they have already contributed. Their hope, however, is of the sort that is long deferred; for the Madero revolution came just at the time when it appeared that greater returns might soon be expected. From the investment standpoint, therefore, Mexican railroads have been a disappointment; while to the "speculative investor" they offer an inducement which, in view of the present general demand for capital, is as strong as the belief in Mexico's ability to reestablish herself among the respected nations of the world.

FINANCIAL STATEMENT OF THE NATIONAL RAILWAYS, 1919-1920

Following is the general statement of the National Railways of Mexico to June 30, 1920, as compared with the statements for three previous years.*

Amounts are in Mexican gold:

	1920	1919	1918	1917
ASSETS				
Roads and equipment.....	853,091,264	853,087,264	853,086,265	853,076,265
Additions and improvements.....	26,366,352	26,366,352	26,366,352	26,366,352
New construction.....	24,287,176	23,861,118	23,455,348	23,068,901
Investments.....	17,539,573	17,539,573	17,539,572	16,539,572
Accumulated interest on several values held by the Company.....	3,245,625	2,693,176	2,162,112	1,652,434
Cash.....	840,174	605,424	538,638	331,979
Premiums on insurance.....	77,105	77,124	77,105	76,822
Bills outstanding.....	9,408,100	9,069,380	8,449,813	8,441,720
Materials and supplies.....	11,207,354	11,207,718	11,208,199	11,208,199
Balance of loss and gain.....	169,445,025	139,008,477	117,581,992	96,052,652
Totals.....	1,115,507,000	1,083,515,000	1,060,515,000	1,037,814,000
LIABILITIES				
Capital stock.....	448,192,917	448,148,917	448,137,917	448,027,917
Consolidated debt.....	407,672,380	407,672,380	409,897,293	409,897,293
Other bonds.....	5,892,408	5,932,408	3,717,495	3,817,495
Interest on bonds and shares.....	139,002,829	117,140,490	95,266,751	73,392,894
Dividends on preferred stock, unpaid.....	21,914	25,114	25,194	25,234
Bills unpaid.....	16,996,819	16,025,552	14,900,002	14,083,578
Reserves for adjustments.....	2,911,617	2,911,616	2,911,616	2,911,616
Reserves for payments and repairs.....	12,920,981	12,920,980	12,920,981	12,920,820
Amortization fund.....	9,157,735	.....	.....	.....
Accounts to pay.....	67,324,263	67,324,263	67,324,263	67,324,263
Deferred fund.....	4,920,400	4,920,400	4,920,400	4,920,400
Totals.....	1,115,507,000	1,083,515,000	1,060,515,000	1,037,814,000

*From the Mexican Review, August, 1921.

TRANSPORTATION FACILITIES AT MEXICAN PORTS

PORTS AND COMPANIES	PORTS SERVED	PASSENGER OR FREIGHT	FREQUENCY, ETC.
Tampico: Mexican Navigation Co. (Mexican)	Tampico, Vera Cruz, Puerto Mexico, Frontera, Progreso	....Both....	No regular schedule of sailing.
New York & Cuba Mail Steamship Co. (Ward Line) (American)	Tampico, Vera Cruz, Puerto Mexico, Progreso, Habana, Nassau	.....do.....	Weekly; company also operates an irregular freight service be- tween points named
Transcontinental Petro- leum Co.	-----	-----	These companies maintain tank- er services between Tampico, Central America, and the east and west coasts of South America
Huasteca Petroleum Co.	-----	-----	
Freeport Mexican Fuel Oil Corporation	-----	-----	
Vera Cruz: New York & Cuba Mail Steamship Co. (Ward Line)	Refer to this company under Tampico, above	-----	Sailings every three weeks to New Orleans and Habana; direct from European ports via Habana to Vera Cruz, thence to New Orleans, etc.
Royal Dutch Mail Steamship Co.	New Orleans, Habana	-----	
French Transatlantic Co.	European ports via Habana	-----	
Compania Navegacion del Sureste	Refer to this line under Puerto Mex- ico	-----	Monthly sailings
Puerto Mexico: New York & Cuba Mail Steamship Co. (Ward Line)	Refer to this company under Tampico	Freight only at Puerto Mexico	Usually monthly at Puerto Mex- ico
Compañia de Navega- cion del Sureste (Mex- ican)	Vera Cruz, Progreso, Tampico, Frontera, Laguna, Puerto Mexico	....Both....	Fortnightly
Mexican Fruit & Steam- ship Co. (American)	New Orleans, Fron- tera, Minatitlan, Puerto Mexico	.....do.....	About every 20 days
Frontera: Compañia Naviera Mex- icana (Mexican)	Vera Cruz, Frontera, Puerto Mexico, Ciu- dad del Carmen	.....do.....	No regular schedule
C. Barquin Hermanos y Compañia (Mexican)	Vera Cruz, Puerto Mexico, Frontera	.....do.....	Irregular service, from 10 to 15 days
Progreso: New York & Cuba Mail Steamship Co. (Ward Line)	Refer to this line un- der Tampico	-----	Irregular but frequent; some ships of this line carry passen- gers
Munson Steamship Line (American)	New York and New Orleans to Progreso	....Freight....	
Gulf Navigation Co. (American)	New Orleans, Pro- greso	....Both....	
French American Line...	.....do.....	....Freight....	Only one vessel; this carries seven passengers
Compañia Naviera Mex- icana	Refer to this company under Frontera	-----	Monthly
Guaymas: California-Mexican Steamship Co.	Refer to this company under Manzanillo	-----	
Compañia Naviera Mex- icana	do	-----	
California-Mexico Steamship Co.	San Francisco, Los Angeles, San Diego, Ensenada, La Paz, Guaymas, Mazatlan	....Both....	Irregular; tramp
Juan Abaron	Santa Rosalia, Guay- mas	-----	
Compañia del Boleo	-----	-----	
Santa Rosalia: (Lower California): Juan Abaron	Pacific ports of Mex- ico	-----	Irregular; when not used for com- pany business, vessels engage in cargo trade along west coast
Manzanillo: Pacific Steamship Co. (Admiral Line) (Amer- ican)	Mazatlan, San Blas, Manzanillo, Aca- puleo, Salina Cruz, San Francisco, Cen- tral American ports	....Both....	Two small steamers; calls infre- quent and irregular
			Tri-weekly

* From Commerce Reports (U. S. Bureau of Foreign and Domestic Commerce) June 14, 1921.

PORTS AND COMPANIES	PORTS SERVED	PASSENGER OR FREIGHT	FREQUENCY, ETC.
Albers Bros. Milling Co. (American)	Same as Pacific Steamship Co. (Valparaiso)	-----	One to three months
California and Mexico Steamship Co. (American)	Ensenada, La Paz, Guaymas, Topolobampo, Mazatlan, San Blas, Manzanillo	Both	Monthly
Davenport Steamship Co.	Refer to this company under Salina Cruz	-----	-----
Gulf Mail Steamship Co. (American)	Same as Pacific Steamship Co.	-----	Do.
Ocean Mail Steamship Co. (American)	do	Freight	Monthly; service temporarily discontinued
Ocean Mail Steamship Co. (American)	San Francisco and Canal Zone, Central American ports, Mazatlan, San Blas, Manzanillo, Acapulco, Salina Cruz	Both	Semi-monthly
Pacific Mercantile Marine Co. (American)	Same as Pacific Steamship Co.	Freight	Monthly
Pan American Line (American)	Same as Pacific Steamship Co., Guaymas, La Paz, Valparaiso	do	Do.
Rolph Mail Steamship Co. (American)	Same as Pacific Steamship Co., Valparaiso	do	Do.
Stark Mason Navigation Co. (American)	Same as Pacific Steamship Co.	do	Do.
Compania Naviera del Pacifico (Mexican)	La Paz, Santa Rosalia, San Jose del Cabo, Guaymas, Mazatlan, Puerto Vallarta, San Blas, Manzanillo, Acapulco, Puerto Angel, Salina Cruz	Both	Weekly
Compania Navegacion del Pacifico (Mexican)	San Blas, Las Peñas, Chamela, Manzanillo, Zihuatanejo, Acapulco, Puerto Angel, Salina Cruz	do	Do.
Steamer Mexico (Mexican)	Guaymas, Salina Cruz	do	Tri-weekly
Steamer Alejandro (Mexican)	Mazatlan, San Blas, Manzanillo	do	Weekly
Acapulco:			
Pacific Steamship Co. (Admiral Line)	Refer to this company under Manzanillo	-----	-----
Steamer Mexico	do	-----	-----
Pacific Mail Steamship Co.	Refer to this company under Manzanillo	-----	-----
Compania Naviera Mexicana	do	-----	-----
Davenport Steamship Co.	do	-----	-----
Gulf Mail Steamship Co.	-----	Freight	Intermittent between San Francisco and Central America and South America
Pan American Line	-----	do	Do.
Atlas Steamship Co.	-----	do	Do.
Salina Cruz:			
Olson Steamship Co. (American)	-----	Both	About every 6 weeks; between San Francisco and Puntarenas, Costa Rica
Pan American Line	Refer to this company under Manzanillo	-----	-----
Albers Bros. Milling Co.	do	-----	-----
Gulf Mail Steamship Co.	do	-----	-----
Rolph Mail Steamship Co.	do	-----	-----
Pacific Mail Steamship Co.	do	-----	-----
Pacific Steamship Co. (Admiral Line)	do	-----	-----
South American Pacific Line (Norwegian)	Irregular	Freight	Irregular
Davenport Steamship Co. (American)	-----	do	About once a month; between San Francisco and Puntarenas, Costa Rica
Toyo Kisen Kaisha (Japanese)	-----	Both	Every two months; between Hong Kong and Valparaiso

SECTION IV—COMMERCE AND MANUFACTURING

THE FOREIGN COMMERCE OF MEXICO

By CHESTER LLOYD JONES, Ph.D.

I. BEFORE DIAZ¹

The Colonial Background: Commerce is the life-blood of governments. Without it public revenues and public works are impossible. Through all of Mexico's history as a colony and through much of her independent existence this truism was not appreciated. Through practically the entire colonial period the mother country sought to stifle the economic development of the great region to which it had given its name, or at least to confine it within such narrow prescribed channels that no commerce could develop proportionate to the great latent possibilities of the territory.

The first half century of independence brought little improvement, for though the policy of throwing the country open to world commerce was adopted, its domestic troubles and the disasters of its foreign relations shut off the development that otherwise might have occurred. Foreign capital was unwilling to trust itself in the midst of the revolutionary storms, and domestic enterprise did not have a chance to show its abilities.

A consideration of the unfortunate commercial conditions which prevailed before the Diaz régime is therefore necessary for an understanding of the present-day economic problems which confront the republic. They indicate the difficulties which faced the new government in its efforts to shake itself free from the past, and they show the origin of many of the limitations under which continues even the commerce of the present day.

Like other colonizing nations of the age of discovery, Spain sought to keep for herself all the advantages of her new possessions. To do so, she shut out all but Spaniards, and even trade with Spain was allowed only under strict regulation. Seville and Cadíz were made the only ports of entry in the home country, and only through Vera Cruz could the commerce pass into Mexico. This system of control lasted, with few exceptions, for

¹The substance of this discussion of Mexican Commerce appears in Chester Lloyd Jones, *Mexico and its Reconstruction*, New York, 1921.

about two and a half centuries. There were violations by large numbers of smugglers, but in theory there was but one recognized door through which the regular trade of Mexico could pass. Boats first went out singly, but later, for mutual protection against pirates and to avoid frauds in the revenue, were required to sail in fleets. Not until the so-called ordinance of free commerce issued by Carlos III on October 12, 1778, did the old system nominally come to an end.

Character of Colonial Commerce: Concerning the character and value of this early trade there are no satisfactory data. For the first fifty years, little more than an average of one boat a year went to Mexico taking a cargo largely made up of supplies and armament and returning with native products about the character of which there is little available information. For the two centuries preceding 1778 the records are only less unsatisfactory. There appears to have been a steady rise in the tonnage of the fleets sent in the last seventy years, which probably reflects an increase in the value of the commerce. Precious metal shipments from Mexico increased. There are lists of the goods carried by some of the later fleets. The last fleet under the old monopoly system, which arrived in 1776 and returned in 1778, carried to Mexico a cargo in which the chief elements were quicksilver, iron and iron manufactures. The exports from Mexico in this year were—first of all—silver to the amount of over 1,680,000 pesos on the king's account and 9,800,000 pesos for individuals. There were sent 232 tons of copper and some gold, tin, sulphur, red ochre, indigo, wood, cotton, wool, and hides. Two and a half centuries of Spanish rule had developed in Mexico only one important resource—metals—among which silver, which has been even up to our own day the connotation of Mexican commerce, easily held first rank. Other raw materials played an unimportant part, and local manufactures then, as in all the previous history of the country, were conspicuous by their absence.

The legal position of Mexican commerce in the closing years of the colonial period was much more favorable than before. To be sure, free commerce did not mean what the words mean to us, but the trade was opened during these years to more than a dozen cities of Spain; Vera Cruz ceased to be the only port of entry; and the restrictions on coastwise trade were relaxed. But, in fact, trade followed much the old channels. Local society had not been leavened by the conquerors. The coastwise trade did not develop; trade with the world at large was not yet free; and Vera Cruz, that "unwholesome town" with its "disagreeable anchorage among shallows" continued to be the port at which all but a small part of the foreign commerce entered and from which the exports of chief value were shipped.

The Manila Trade: One other branch of Mexican trade in the colonial era deserves mention—the commerce with Asia, which the mother country always looked upon with jealousy but which it felt it necessary to allow in spite of the fact that it drained off part of the highly valued silver production of Mexico and brought back from the East textiles which competed with her own manufactures. This was the trade through the galleons which usually sailed from Acapulco for the assistance of the unprosperous colony in the Philippines. The Spanish merchants always looked upon this commerce at best as an unavoidable evil. In 1593 a royal decree confined the trade to two ships a year in which not more than 500,000 duros of silver could be sent in return for the Chinese goods which they brought to Mexico. Except as to the number of ships, the government's regulations of this trade were always observed in the breach. The officials in Manila and in Mexico lent themselves to all sorts of evasions. Shipments of as much as 4,000,000 pesos in a single year are reported to have gone to the Philippines.

After the middle of the eighteenth century the restrictions on trade were gradually relaxed, but the commerce between Mexico and the far east was never prosperous in the colonial era nor did it cover even as wide a range of articles as the trade with the home country. Silver went westward, and some iron, cochineal, cocoa, wine, oil, and wool. Eastward the cargo was chiefly of silks. Smaller quantities of spices, china and other oriental wares were imported.*

From 1778 to 1821: Almost a half century passed between the ordinance of free commerce of 1778 and the establishment of the republic, but the actual development of commerce under the new conditions was disappointing. Statistics are incomplete and the totals were probably greater than the official returns show, but they were far from satisfactory. In the latter portion of the period, 1796 to 1820, the average announced value of imports was 10,000,000 pesos, that of the exports about 11,000,000. The continuance of the policy of shutting out foreigners, the troubles of the government at home, international conflicts and an illiberal policy in Mexico itself prevented the growth that might have occurred.

The main characteristics of foreign commerce were unchanged. Trade went by Vera Cruz and Acapulco. It continued to go in fleets. The exports were silver plus some raw materials; the imports were manufactured goods. Foreign trade did not touch the Mexican people in their daily lives. There was nothing to indicate that the trade of Mexico with the more advanced countries would soon assume the character of their trade with

*The intercolonial trade from Mexico to South America was negligible. Shipments of cocoa were made in later years from Caracas to Mexico and some traffic developed with Cuba.

each other. Even in amount the trade was disappointing and showed no tendency to increase; the true economic development of Mexico was still unbegun.

Under the Early Republic: The statistical record of Mexican commerce for the first half century of independence is highly fragmentary, due partly to a failure to realize the importance of such a record and partly to the disturbed conditions in the life of the republic. Plans for publications, bravely undertaken, were seldom continued for more than a few years. For the period 1828-53—a quarter of a century—no publication of a commercial balance of the trade of the republic was made.

What the trade developments were is further obscured by the shifting tariff system and by the fact that the customs house accounts were often completely neglected when revolutionary forces got control of the ports. There were, also, special rates collected in certain ports of entry and special remissions of taxes to persons and places. Within the country, moreover, the internal customs houses collecting the octroi taxes historically known as “alcabalas” were a burden on commerce, the effect of which it is impossible to estimate.

The new republican government threw open more ports than the colonial administration and allowed the general entry of foreign owned ships. On the other hand the general tariff policy, if that phrase can be used in connection with anything so capricious and illogical as the early Mexican tariffs, was as distinctly illiberal as the navigation policy was progressive. Revenue had to be raised and the import dues were the main reliance. Protection of industries existing and to be born was also alleged as a motive back of the customs charges. As a result the customs taxes were high—so high in many cases as to prohibit honest importation, lessen the income to the public treasury and make smuggling a highly profitable and not disgraceful business. Some lines of goods, and for a time the list showed a tendency to grow, could not be imported at all. Of these there were 245 items in the tariff of August 14, 1843. In spite of the “protection” thus afforded, local manufacture did not grow. The only industry which did take root was cotton manufacture, which began in a small way under the stimulus of a special subvention included in the tariff laws of April 6 and October 16, 1830.

Imports: A careful estimate of the average annual import trade for the first quarter century of independence puts the figure at 20,000,000 pesos. The chief countries contributing were Great Britain, which apparently sent over half of the total, the United States which sent one-fifth, and France which sent about one-eighth. Textiles were the most important item from European countries. The United States trade was more varied, but

it suffered a sharp decline in the latter years of the period due to the political difficulties resulting finally in war.

Import trade in the second quarter century of independence was still far from prosperous. Revolutions, frequently changing tariffs, and the uncertainty of the rates which any shipment might have to pay continued to make importation into Mexico a gambling business. The disturbing influence of the Free Zone established in the northern border was added to the already complex trade problems after 1858, and the French intervention made conditions if possible still worse. Only with the coming of the Diaz government were fairly stable rates of customs established. Then appeared, also, fairly reliable customs reports, the first of which was published in 1878.

Textiles were still the most important item imported. They made up at that date fifty-four per cent of the total. Hardware, machinery, and metal goods formed twenty per cent, and groceries and liquors sixteen. Great Britain still led in textiles, which were the great bulk of her exports to Mexico. Local manufacture, however, under the high protection and unusual prices obtainable during the American Civil War, had established itself and, in certain lines widely used by the common people, was driving the foreign goods out of the market. Metal manufactures still came almost exclusively from abroad. Railway iron and steel came from England, engines and cars from the United States. The latter, even at this early date, took the lead in the shipment of agricultural machinery, and Germany led in hardware. The groceries trade had already found the channels in which it has to a large degree remained. Flour, breadstuffs, and canned provisions, at the end of the pre-Diaz period, came chiefly from the United States, wines and spirits from France, and olives and olive oil from Spain.

The quarter century before the Diaz régime saw a lively international contest for control of Mexican markets. In 1853 it appears that, of the total value of some 26,000,000 pesos of imports, Great Britain furnished almost fifty per cent, and France and the United States about seventeen per cent each. The German states then contributed about seven per cent. Thereafter, there were various ups and downs, in which the United States definitely forged ahead of France in the middle seventies and in 1878 passed ahead of Great Britain, never again to be overtaken. France, meanwhile, fell to the position of a minor competitor. For her and for Great Britain the advance of the railways which were now being planned in the north meant a steadily growing handicap in competition for Mexican trade.

Exports: Turning now to the export trade during the first half century of Mexican independence we find statistics as unsatisfactory as in the case of imports. They are in fact so unsatis-

factory that the best method of arriving at the character and value of the goods which were sent abroad is to study the returns of imports from Mexico as published by her chief customers, Great Britain, France and the United States. The shipments in the first quarter century of independence were unimportant, except for precious metals and cochineal. In the second, a better showing is made. A greater variety of articles make their appearance—earnest of what would occur once the country was opened up to foreign commerce.

Between 1850 and 1878 a sharp international rivalry went on between Great Britain, the United States and France for the control of both of the branches into which Mexican exports naturally fall. In merchandise exports to Mexico, the countries ranked at the beginning in the order named. Under the stimulus of the high prices obtainable during the American Civil War the trade of the first two was greatly increased, and Great Britain shot far ahead of her competitors. At the end of the conflict trade values fell again and in 1867 the three were in the same relative positions as a decade before. Two years later, however, the United States passed Great Britain taking a lead which was to be greatly accentuated by the opening of the railway era. By 1881 the United States held a share almost as great as that of the other two nations combined.

In the bullion and specie trade the United States took the lead earlier for reasons largely connected with the monetary policy of the country. In fact by 1857 the bullion purchases of Great Britain and France were almost negligible. During the Civil War period the American share declined rapidly and the monetary legislation of the various countries in the years following made the course of silver shipments highly unstable. Beginning with 1876 shipments to the United States regularly exceeded those to either France or Great Britain.*

Compared to the total import and export trade at the end of the first quarter century of Mexican independence, the showing in the early seventies was satisfactory. Imports were somewhat less than 30,000,000 pesos in 1872-73. The exports to the three chief customers averaged about \$27,000,000 for the five years ending 1876. But, though the relative gain was good, the actual increases in both lines were unsatisfactory. Fortunately fibers, coffee, hides and skins, and valuable woods were increasing in importance in the export figures foreshadowing a time when the products saleable abroad would have greater variety.

Obstacles: It is hard for us now to realize the handicaps under which commerce was carried on in Mexico in the pre-Diaz period. Goods could be transported only at great expense. Only

* Exports of metals like imports would doubtless have shown a much better total but for the unfortunate taxing system—one which discouraged honest enterprise and encouraged smuggling.

those which combined high value with small bulk could stand the cost of carriage for any great distance and the most important of even these were so heavily burdened with transportation costs and internal taxes that production for more than local use was profitable only under the most favorable natural circumstances.

The commercial situation was like that of the pioneers who, settling beyond the Alleghanies in the early history of the United States, found that the cheapest way for them to market their corn was to change it into whiskey so that transportation charges might be as low as possible. The conditions were similar except that there existed in Mexico no navigable rivers which might serve as natural highways by which to reach the sea and the outside world. Even after the middle of the century litters carried by mules or men were used for passenger travel between Vera Cruz and interior points and reliable diligences were still rare. In 1878, long after the resources of her northern neighbor had been tapped, there was still no railway net and the local highways were seldom worthy of the name. Transportation by pack-mules, or at best by wagons drawn by mules or oxen, was slow and costly, but the only means available.

Those who had dealings requiring the shipment of money for long distances—and this included of course all engaged in foreign trade—found the transfer of credits a great handicap. Exchanges by draft were not generally understood or used. A fair average of the expense for interior remittances from Mexico City cited in 1878 was eight to ten per cent to Chihuahua, five or six to Morelia, and four or five to Oaxaca. If money went abroad the charge was still greater. In 1868 the taxes and cost of transportation of silver sent from Mexico City to the bank of England were twenty-five per cent of the value of the shipments.

Conditions were rapidly developing to the northward which were sure to bring great impetus to Mexican trade, and at least partially remove its disadvantages. The United States was beginning to come into the market for raw products and to sell her manufactures. Regular steamship communications, discontinued during the Civil War, were reestablished in 1868, and the railroads at the close of the pre-Díaz régime were breaking their way through the southwest toward the northern frontier of Mexico. To assure a great increase in the import and export trade of Mexico, only the establishment of order and a better system of communications within the country were needed.

II. THE DÍAZ RÉGIME AND AFTER

Imports: From the seventies up to 1892 the statistics of Mexican imports are only less fragmentary than those in the years before the Díaz régime. Frequent tariff changes disturbed what would have been the natural course of development, and the

tariff classifications are not such as make easy the analysis of the trade as a reflection of changing national economic demands. This latter difficulty, in fact, continues up to the present time.

The textile trade, which was the characteristic feature of Mexican imports in the preceding periods, continued to be the most important factor, though less important in comparison with the total imports, and less important when compared to the total consumption; for a local industry was developing which, through high tariff protection, was gaining ground steadily.

In 1872-73 fifty-eight per cent of the total invoice value of imports was made up of textiles, a position maintained as late as 1884. Then conditions changed rapidly. In 1889-90 the value imported had risen but the percentage of the total had fallen to twenty-one. Local competition was gaining strength and the demands of Mexico on the world's markets were becoming diversified and greater. Textile imports therefore took a less prominent place. The decline in their relative importance in the period from the early nineties to 1912-13 was steady. The value doubled in this period, but their proportion of the total sank to thirteen per cent.

To a very considerable degree the passing of the importance of these goods reflects the decline of the British leadership in Mexican imports. Textiles have for generations been one of the characteristic features of British trade and at one time they were not only the chief item of Mexican imports, but practically an undisputed British field. By 1912-13 they were neither. Mexican and foreign competition was pressing British manufacturers hard. The cotton thread and handkerchiefs imported were still practically all British, but a large share of the lace trade and of that in coarse cottons had been lost. In the better trade in piece-goods British mills still made about seven-eighths of the imports. Wool yarn imports came from Germany, light wool goods chiefly from France—only in the heavier woollens was the wool trade distinctively British. Serious inroads were also made on a number of less important branches.

It is impossible to analyze satisfactorily the developments in Mexican imports other than textiles. In the first part of the Diaz régime the classifications are often according to the rate of tariff paid and in the later years on physical characteristics rather than utility. In general, the government followed the policy of favoring the introduction of materials which did not compete with Mexican industry and which, through encouragement of industry, would give a stimulus to the development of the republic. It frequently freed such goods from tariff charges. The tariff of 1872-73 allowed but twelve per cent of the imports to enter free of duty. That of 1884-85 gave similar treatment to 22.9 per cent of the imports.

Foodstuffs, on the other hand, Mexico sought to have produced within the country. Imports were loaded with increasing tariff rates, with the result that between 1872-73 and 1888-89 the proportion of foodstuff items in the total, as well as their actual value, fell off sharply. The economic advance which was by now under way, however, was so rapid that in the latter part of the Diaz régime foodstuff demands were so great that imports increased in spite of the high tariffs and greater local production.

After 1892 the chief tariff classifications are animal substances, vegetable substances, minerals, textiles and their manufactures, and machinery and apparatus. It is not possible to trace such groups as foodstuffs through these figures satisfactorily, so comparisons must follow the Mexican classifications. They show a remarkable expansion of Mexican imports reflecting the rapid economic exploitation of the country. Between 1893-94 and 1912-13 imports of animal substances increased fourfold in value. Leather goods and preserved meats, lard and wool imports, all indicative of a higher standard of life than the Mexican had formerly enjoyed and of the demand created by the presence and example of the foreigner, constituted more than one-half of the total in the class.

Imports of vegetable substances increased between 1893-94 and 1912-13 over two and a half fold. The growth was general in a large number of lines, the most important of which was cotton. The local cotton production has not been great enough to supply the demand of the Mexican mills and increasing supplies have had to be drawn from the United States.

The two tariff classes—minerals, and machinery and apparatus—with the allied class—chemical products—are, from the Mexican point of view, those which show the most interesting development in the national import trade. In the old days quicksilver went into Mexico and metal products went out. Except for quicksilver, imports of mining products were negligible. Machinery was conspicuous in Mexican trade by its unimportance; so, also, were chemical products. But the Diaz régime brought these unimportant factors to the forefront. They displaced textiles as the outstanding feature of Mexican imports. They were important for the development of the country, because they represented goods drawn from abroad for its economic regeneration. The first two classes together increased almost fourfold between 1893-94 and 1912-13. Chemical and pharmaceutical imports increased sixfold. These were figures which reflected the purchases abroad of the iron and steel, tin, copper, coal, coke, electrical goods, agricultural and other machinery and railway equipment which were so important a factor in creating the new Mexico.

Sources of Imports: One of the most interesting features of a country's foreign commerce is brought out by the study of the source of supply of its imports and the destination of its exports.¹ Since before the beginning of the Diaz régime only four nations have figured prominently in Mexican import trade. Great Britain, the United States, Germany and France furnished over ninety per cent of the total in 1872-73, ninety-two per cent in 1892-93, eighty-nine and five-tenths per cent in 1902-03 and eighty-seven and three-tenths per cent in 1912-13. After the beginning of the European war the United States came to have practically a monopoly of Mexican foreign trade.

Among these nations there has been a long contest for control of Mexican commerce. In 1872-73 Great Britain was in the lead with about thirty-five per cent of the total. It would of course be hard to maintain such a share as the general exports from the nearby United States developed. This was particularly true with the establishment of railroad connections across the northern border.

At the beginning of the next twenty-year period the shipments from Great Britain had sunk to slightly over thirteen per cent, which continued about her share in 1902-03 and 1912-13. British, French and German competition for a share in Mexican trade was keen throughout the Diaz régime. France controlled sixteen per cent of the total in 1872-73. She had the advantage of dealing in lines which were to a large extent distinctively national products, but her trade was in many branches not easily expandable because the public which consumed her products in Mexico was not large nor of rapidly increasing numbers. Germany, on the other hand, soon began to bid for the trade in iron goods and textiles and to come into intimate competition with Great Britain and later with the United States.

By 1892-93 Great Britain had fallen from first place and was clearly outclassed by the United States. She still led France though by a narrow margin only. Germany and France then had together a trade forty per cent greater than the British. Relatively Great Britain was losing even in comparison with her European competitors. At the opening of the next ten-year period French and German trade had again gained—it was sixty per cent greater than that of Great Britain. Meanwhile Germany had passed France in 1901, and a close contest for second place in Mexican imports was occurring between her and the former leader. In four years in the decade following 1902-03 German trade was greater than the British and in many lines was offering sharp competition to that of the United States.

The rise of German trade was the most striking feature of Mexican imports from European countries. In 1872-73 the total

¹ The comparisons which follow are not exact because trans-shipment trade is not satisfactorily shown in Mexican statistics.

credited to the German states was only 3,890,496 gold pesos. Twenty years later it had fallen to 3,322,700. Then began a steady rise. In the decade ending 1902-03 it almost tripled, and in 1902-03 to 1912-13 increased another thirty per cent. Had peace continued it seems not unlikely that Germany might have established herself in firm control of second place in Mexican imports.

First place meanwhile had definitely fallen to the United States. Before the railway era in 1872-73 one-fourth of the imports came from the United States, in spite of the lack of rail routes between the two countries. Twenty years later over sixty per cent did so. In 1902-03 fifty-four per cent; in 1907 almost sixty-three per cent; and in 1912-13 fifty-one per cent of the imports came from the United States. Railroads, propinquity and the rapidly growing manufacturing industries of the northern republic assured it the greater part of Mexican import trade. These advantages were temporarily increased by the European war, which made the United States almost the exclusive market in which Mexico purchased for import.

Exports: Parallel with that of imports there was meanwhile in process a rapid growth in export trade and a contest for its control. The shipments out of Mexico naturally fall into two great classes—the mining products and all others. Historically, the characteristic exports of Mexico are the precious metals. As late as 1872-73 they constituted eighty-one per cent of the total. But though they continued to rise in yield they fell in relative importance. The total metals export was valued at 20,294,321 pesos in 1874-75. Twenty years later, the precious metals sent abroad were worth 52,535,854 pesos; thirty years later, 93,885,526 pesos; and in 1912-13, 130,885,339 pesos. But in the same period commodities exports had risen in even greater proportion. In 1874-75 they had been worth 7,024,467 pesos; twenty years later they were worth 38,319,099 pesos; and thirty years later in 1904-05, 114, 634, 924 pesos. They had already passed the precious metals exports in value, and in 1912-13 they were worth 169,520,212 pesos. In other words, while precious metals exports had increased 650 per cent, those of commodities rose 2300 per cent. Mexico was less distinctively a mining country than at any time in her history. Her mining, too, was becoming less characteristically devoted to the precious metals, especially silver.

There is no reason to believe that Mexico will cease to be one of the world's great sources of silver supply, but in recent decades other mining products have assumed an increasing importance. The exploitation of the baser metals has had an extraordinary development and the oil resources have been developed so rapidly that the total yield of the country is now

determined by the conditions under which the product may be marketed, not by the amount the wells are capable of producing.

The growth of this export is a twentieth century development. There was a small sale of local oil products for about a decade preceding the beginning of the export trade. The total production reported was 75,375 barrels in 1903 and 3,634,080 in 1910. The first cargo of crude oil left Tampico May 20, 1911, by an American steamer. Thereafter the growth in production was rapid and all but a small part went directly into the export trade. In 1911, a total of 12,552,798 barrels was produced. By 1913, an increase of over 100 per cent was recorded, the total being 25,696,291 barrels. During the war the production continued to rise and could have been still further increased had it been necessary, for the potential yield of the wells had now outrun the ability to market the product. The total for 1917 was 55,292,770, and for 1918, 53,919,863; for 1919, 87,072,955, and for 1920, 156,062,707 barrels.

In spite of the importance of this growth it must not be overlooked that the most significant and for the republic the most important developments in her export trade in the last generation have been in other lines. No nation whose prosperity depends on a few products is ever on a sound economic basis. Exhaustion of resources, bad growing seasons, bad market conditions for such a state always have possibilities of national disaster. A nation is secure only when by the variety of its products it can escape the difficulties that may at any time attend the production of a few of them. Mexico at the beginning of the Diaz régime was in the condition first mentioned. At its end she had progressed far toward the second standard.

To be sure, manufactures continue to have but a weak development, but agricultural and forest products have become diversified in the last generation and the economic foundation upon which the Mexican national life rests has undoubtedly been broadened thereby. Moreover, the growth of the list of exports represents not only a stabilizing element in national commerce, but a development toward a standard which favors a democratic government.

Though Mexico still has many cases which seem to indicate the contrary, agriculture is the small man's business. It is the occupation which in the development of nations has given the first great impulse toward respect for the rights of one's fellow-man, toward a desire for order. It is the occupation in which individual initiative and industry first received impetus. The growth of her classes who live independently upon the land is one of the conditions Mexico will find it of the highest importance to foster if the republic is to become what it never has been, a truly democratic government.

The agricultural exports reflect but imperfectly the degree to which this development has already taken place in Mexico for the reason that many of the lines in which harvests have been greatly increased enter export but slightly and because some even of agricultural products which are exported, such as henequen, are not typically the yield of small holdings. Nevertheless, there can be no question that the diversification of agricultural products and of the export of them is indicative of a change in the national life of fundamental importance.

From still another point of view this development is interesting. It reflects to a degree a development of the hot lands heretofore disliked and neglected by both native and foreigner. Henequen, coffee, rubber, vanilla and chicle, among the vegetable exports, are names which suggest tropical climates.

The growth of agricultural exports of Mexico can only be sketched here. Henequen fiber, or sisal, has up to the present come almost entirely from Yucatán. It is the material from which the greater part of the binder twine used in the United States is made and it finds almost its exclusive market in that country. The export in 1877-78 was valued at 1,078,076 pesos, that for 1912-13 was worth 31,133,755 pesos.

The value of sisal exported increased remarkably during the European war, but like the figures of international trade in many other lines this reflected a development of exceptional character and not one which can be expected to continue in times of peace. With supplies of Manila hemp cut to a minimum by the war, Yucatán producers met an exceptional market for their product. In addition, the local government set up a system of market control which forced the prices still higher. As a result sisal fiber which sold at an average of \$.055 United States gold per pound in the five years before the war, rapidly rose in nominal value, reaching a peak of \$.2125 United States gold per pound at one time during the conflict. Such returns are now a thing of the past. Sisal in 1921 was back to its pre-war price level. The market was depressed by large stocks and by a production more than sufficient for the decreased peace-time demand. However, the advance which had been made in pre-war times will be maintained. It is beyond doubt that her sisal production will contribute increasingly to the foreign trade of Mexico. Other vegetable fibers, especially ixtle and broom root, have also been exported in increasing quantities.

Coffee culture was introduced into Mexico from the West Indies. Two areas, one on the Atlantic with the cities Orizaba and Cordova as centers, and the other on the Guatemalan border, have proven especially suited to this crop. The United States has always been the chief buyer. Before 1870 exports were negligible. By 1878 they had risen to a value of 1,242,041 pesos and

in 1912-13, to 11,263,701 pesos. Raw tobacco of which a value of 132,971 pesos was exported in 1872-73 was sent abroad to the amount of 1,002,611 pesos in 1912-13. Chick peas (garbanzos) were apparently first exported in 1882-83 when a value of 28,855 pesos was shipped. In 1912-13 garbanzos worth 4,930,362 pesos left the country. Rubber exports began to be important in 1896-97. They rose rapidly to a value of 21,187,770 pesos in 1910-11, the highest value they ever reached. Guayule in the same year was exported to a value of 11,797,910 pesos Mexican currency. Important increases are also to be noted in cabinet and dyewoods, vanilla, chicle, cattle, and hides and skins. The diversification of Mexican exports is illustrated by a comparison of the articles exported to the amount of 1,000,000 pesos at various periods. Besides the precious metals there were in 1877-78 only three such articles; in 1882-83, only four; in 1891-92 only five. Then came the period of rapid development. There were twelve articles besides mineral products in this class in 1902-03 and in 1912-13 there were fourteen.

The enumeration of the chief items of Mexican export is evidence of the degree to which the republic continues to be, so far as its export trade is concerned, a raw product country. Manufactures in some lines have been developed to satisfy a large part of the local market, but they constituted even in 1912-13 only one and one-tenth per cent of the total exports. The chief factors in exports of manufactures were cheap hats and manufactured tobacco.

The United States as a Market: The changes in the international shares of Mexican trade already noted in connection with imports were even more marked in the export trade. Precious metals shipments in the middle eighties were about evenly taken by Great Britain and the United States, then the latter took the lead and held it steadily thereafter. Its share rose to about three-fourths of the total in the middle nineties and it stood at a little above that point in 1912-13. Since the outbreak of the European war exports to countries other than the United States have been only a negligible percentage of the total.

In the commodity market in general Mexico has never sold to anyone on as good terms as to the United States. That country led even before the Diaz régime, its next competitor, Great Britain, taking even then only about a value one-fourth as great. Sixty per cent of the commodity exports went to the United States as early as 1878. By the nineties over three-fourths of the total reached that destination. In 1912-13, 77.2 per cent went to the northern neighbor of Mexico—about the same per cent of the total as in the case of the precious metals exports.

In spite of Mexican distrust and in the face of the failure of the average American to understand the Mexican point of view,

the trade relations between the two great republics of the North American continent have grown increasingly intimate and important. The mutual economic interests are so interrelated and fundamental that they have proven and will continue to prove so powerful that no political propaganda can counteract them. There is no true geographical boundary between the two countries; communications between them by both land and sea are well developed—better developed, indeed, than between many regions within Mexico itself. The economic development of the two is highly contrasted but supplemental. The United States is the best market for what Mexico has to sell and the easiest source of supply for what she wishes to buy. In 1912-13 Mexico bought almost four times as much from the United States as from any other country and more than from all other countries combined. In 1912-13 Mexico sold to the United States over seven times as much as to any other country and almost four times as much as to the five nations next in importance in Mexican export trade. The percentages have risen still higher during and since the European war, but are not indicative of a condition which will continue in normal times. These latter, however, will not fail to demonstrate the essential commercial unity of interest of the two republics.

That there should be friendly relations between two states bound so closely together by their material interests seems axiomatic. That the international exchange between the two countries is to their mutual advantage is not likely to be disputed. Nor is it subject to question that this trade is of very much greater importance to Mexico than to the United States, for in Mexico's total trade this interchange is not only the dominant factor, but also the greater part of its total foreign commerce, a position which the same trade is far from occupying in the case of the United States.

Commerce and National Development: Those who wish a resumption of orderly development in Mexico cannot overlook the part which foreign commerce played in the old régime in placing the country on its feet, giving work to the people, and resources to the government to carry out the progressive measures it supported. They should not forget to what degree that commerce was made possible through the United States market and the enterprise of Americans who came to the republic with their capital.

The trade of Mexico in the early seventies presents but a sorry contrast to that in the opening decade of the twentieth century. Imports were stationary at about 30,000,000 pesos. Exports were worth about the same amount. Railroads were practically unknown. Only the most valuable products could be imported or exported. Good crops rotted through inability to

take them to market and bad crops in the less accessible regions meant famine. Property and life were insecure.

At the end of the period—in 1912-13—imports were reported at 192,292,461 pesos, exports at 300,405,552. Railways reached the more important producing areas. Goods formerly unmarketable went to parts of the country where they were needed and went abroad by thousands and tens of thousands of tons. Property was protected and at least comparatively, personal liberty was assured.

The change was not of course due to any one new element introduced into the national life. It was the product of a complex of influences which, whatever its shortcomings, was bringing about in Mexico a transformation of the old into something better. Among these influences, on the whole beneficent, that of foreign commerce was constant and important. It operated both as cause and effect.

The growing imports gave greater resources through customs taxes to the government. They stimulated the people to new wants, brought in the machinery and raw materials for new industries and for the expansion of old ones. They made possible better protection of life and property and encouraged the investment of capital, both foreign and national, in lines which before would have been impractical.

As exports expanded, new areas were brought under exploitation, not only for their mineral resources, but for the vegetable and animal products. The exports in turn made increase of imports possible and an aspiration toward a standard of life which was before impossible. Few influences indeed worked more clearly for the broadening of the national life of Mexico than did the development of her foreign commerce. Few seemed to carry to a greater degree the assurance that the industrial development of the country which it helped to make possible would gradually bring about a social as well as an economic reconstruction and assure in the republic the continuance by less arbitrary means, of the orderly development which had been maintained during the reign of President Diaz.

Exports in Recent Years: That commerce would suffer during the widespread disorders brought by the revolution was to be expected. The actual effects of the local conflict were obscured in its later years by the developments of the European war which by giving a great stimulus to certain lines of international trade, distorted the trade values and upset the normal conditions in a number of important lines of Mexican production, notably silver, sisal and petroleum. As a result, the uncertainty as to what the totals of trade actually were, which was brought by the early years of the war, has been succeeded by uncertainty as to what

the figures mean, now that a few published by the Mexican government again become available.

The most contradictory conclusions are arrived at by different persons. If for example the reports of crop production are considered as an indication of commercial conditions the picture presented even for 1918 is very gloomy.

PRODUCTION OF CERTAIN CROPS IN MEXICO

	Average yearly production 1906-1910 (kilos)	Production for 1918 (kilos)
Rice	31,033,637	12,520,300
Barley	445,396,850	17,924,260
Corn	3,219,624,240	1,171,750,893
Wheat	306,782,890	187,892,586
Beans	163,397,200	107,465,720
Chick-peas	60,535,620	69,303,650
Camote	22,936,645	72,000
Potatoes	20,069,642	327,795
Green Chile	56,251,716	.....
Dry Chile	9,809,031	691,454
Sugar Cane	2,257,144,953	3,077,400
Sugar	105,887,340	16,600,000
Panocha	74,546,666	10,308,968
Honey	85,226,502	.....
Peanuts	6,623,980	.....
Cotton	40,506,796	79,292,700
Henequen	84,840,287	158,066,682
Cocoa	2,906,021	2,500,000
Coffee	35,788,007	47,582,540
Vanilla	188,005	.....
Tobacco	14,395,321	12,608,337

These returns seem to show a very serious cutting down of the production of the staples upon which the people of the country depend. The crop decline has affected international trade less than might be expected, since those who use imported goods are not the people at large, and the chief cereals do not enter foreign commerce in large amounts.

If the returns of international trade and of customs collections be interpreted as those in control of the government allege they should be, Mexico must be admitted to be on the point of entering a period of prosperity in its foreign trade such as she has never known before. The exports for the year 1918 were valued at 367,305,451, compared to 300,405,552 pesos, the record for 1912-13. Imports totaled 164,470,035 pesos, considerably less than in 1910-11 when they totaled 206,000,000 pesos.* The war had greatly emphasized Mexico's dependence on the

* The presidential address of C. Adolfo de la Huerta published in *Diario Oficial*, September 2, 1920, gives the value of Mexican exports in 1919 as 424,462,471 pesos and that of imports as 265,178,706 pesos.

United States in her foreign trade. Approximately ninety-five per cent of all exports in 1918 went thither and about ninety per cent of the imports were purchased there.

President Carranza, reviewing the state of the country in his message to the Congress in the autumn of 1919, pointed out that the customs receipts for 1918 were the greatest in history, the total for 1918 being over 37,700,000 pesos or six million greater than the record of the best years of the old régime. The striking contrasts between the reports as to production in the country on the one hand, and the figures of foreign trade and the income derived therefrom on the other, are due in large degree to circumstances quite independent of any action taken by the local government. The fact is that the apparent prosperity of Mexican foreign trade in 1918 and 1919 was due not to what the revolutionary government had or had not done, but to the abnormal conditions created by the war in Europe.

The export trade of 1918 was announced as of a value of 367,305,451 pesos, as compared to 300,405,552 pesos in 1912-13. That of 1919 reached 424,462,471 pesos. This is a marked gain, and might indicate an encouraging general increase of commodity shipments. A detailed comparison to determine the degree to which such a development did or did not occur is not possible with the statistics at hand. It seems clear, however, from an analysis of certain items concerning which information is available that the result is to be attributed more to the general high level of prices in the world's markets and the unusual circumstances surrounding certain lines of production than to a general revival of commerce in the republic. In the case of silver, which is regularly one of the most important of Mexican exports, the actual production was not unusual. The yield of Mexican silver mines from 1907 to 1914 remained practically stable at an average of about 70,000,000 troy ounces per year. The next two years saw a sharp decline, only 22,838,400 ounces being produced in 1916. Thereafter the totals rose reaching 62,517,000 ounces in 1918 and about 75,000,000 ounces in 1919. Meanwhile, however, the value of silver per ounce had very greatly increased. It averaged \$.60835 United States currency in 1912 and \$.57791 in 1913, but rose to \$.96772 in 1918 and \$1.11122 in 1919. Had silver remained at its approximate average pre-war level therefore, or had it been at the levels it has since reached, the value of that portion of Mexican export trade would have shown a decline as compared to 1912-13.

In the case of petroleum, a remarkable increase of yield has occurred, but without the cooperation or encouragement of the revolutionary governments. The total production in 1912 was 14,051,643 barrels; in 1918 it was 63,828,327 barrels; in 1919, 87,072,955 barrels. These items alone, due to the increased value

per unit in the one case and to the increased yield in the other, brought about by conditions over which the Mexican government had no control, explain the greater part of the nominal increase in the value of Mexican export trade in 1918 and 1919 as compared with 1912.

The larger customs income also is deceptive, since it reflects not so much an increased volume of general trade as higher rates on a number of lines of imports. In fact, as noted above, the actual value of imports was considerably less in 1918 than in 1910-11. The customs returns include, moreover, the yield from the new export taxes on petroleum shipments.

However welcome the greater money values of exports and of the customs income are, they are therefore not to be taken as a reflection of a reestablished capacity for production in the country. The degree to which the latter has come about can be better judged by the way in which Mexico will be able to weather the deflation of the values of all her export commodities which has set in after the war boom. For this period sufficient statistics to make an accurate analysis have not yet been published.

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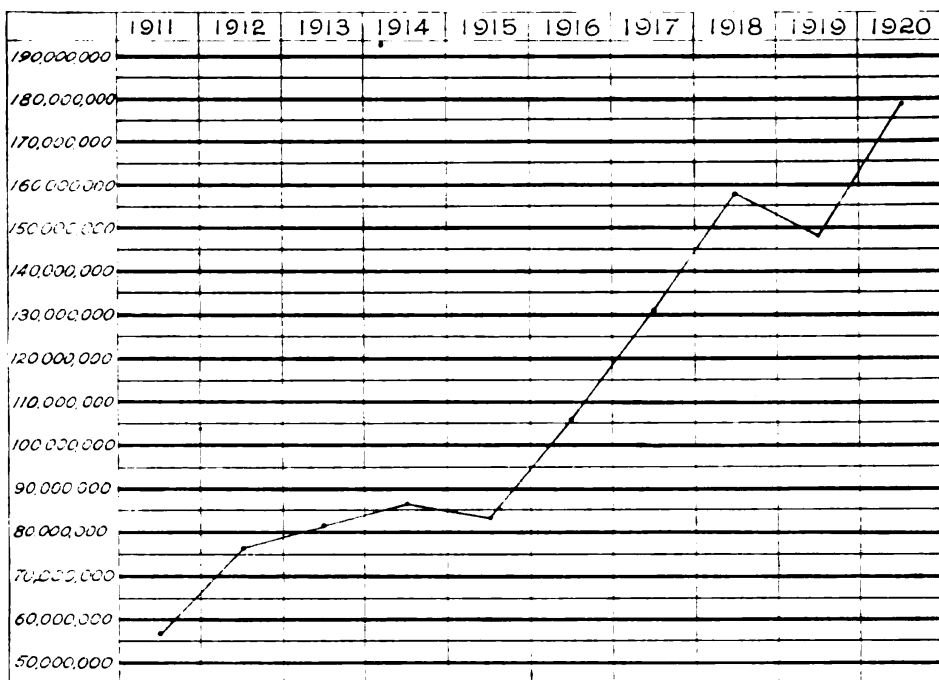
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*Exports to the United States*

TRADE STATISTICS

TABLE I

EXPORTS AND IMPORTS, MEXICO—UNITED STATES, 1911-1921

Merchandise Exported to the United States	Merchandise Imported from the United States
1911.....\$57,311,622*	1911.....\$53,454,407
1912..... 76,767,931	1912..... 56,079,150
1913..... 81,735,434	1913..... 48,052,137
1914..... 86,280,966	1914..... 33,215,561
1915..... 83,551,993	1915..... 41,066,775
1916.....105,065,780	1916..... 54,270,283
1917.....130,370,565	1917.....111,124,355
1918.....158,643,427	1918..... 97,788,736
1919.....148,926,376	1919.....131,455,101
1920.....179,331,755	1920.....207,858,497
1921..... 75,307,411† (Jan.-July)	1921.....155,644,499 (Jan.-July)

*Figures 1911 to 1920 from Statistical Abstract of the United States.

†Commerce Reports, August 25, 1921.

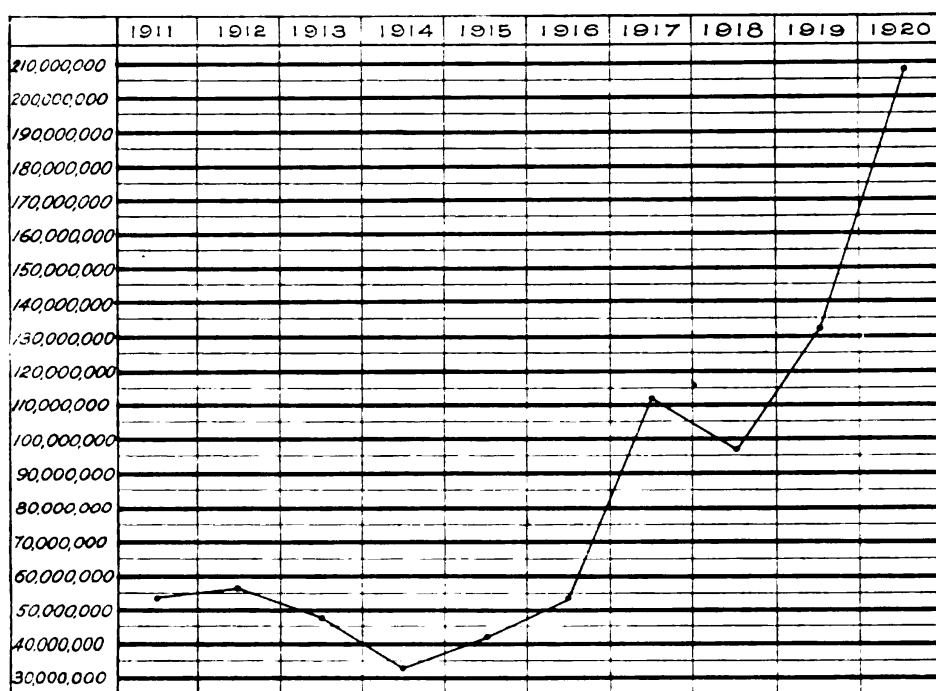
*Imports from the United States*

TABLE II

CHIEF IMPORTS FROM UNITED STATES, 1921 (FIRST 7 MONTHS)

(Arranged in order of importance.)

Article	Value
Pipes and fittings (cast and wrought).....	\$25,222,390
Cotton (manufactured).....	10,460,615
Automobiles and Parts (passenger and commercial).....	7,581,133
Cotton (unmanufactured).....	6,356,088
Lard, Compounds and Substitutes.....	5,879,993
Corn	5,410,534
Pitch Pine	5,381,921
Locomotives	4,957,872
Mineral Oils and Lubricants.....	4,281,467
Boots and Shoes.....	4,059,714

MINOR IMPORTS FROM UNITED STATES, 1921 (FIRST 7 MONTHS)

(Of a value of from 1 to 3 million dollars.)

Article	Value
Wheat Flour.....	\$3,514,576
Sheets and Plates (Galvanized and Steel).....	2,514,653
Sugar	2,509,550
Carriages	2,296,436
Structural Iron and Steel.....	2,189,295
Coal	1,955,037
Tires and Tubes.....	1,719,545
Condensed Milk.....	1,273,726
Eggs	1,110,687
Wire	1,087,508
Cement	1,012,142

TABLE III

IMPORTS AND EXPORTS, U. S.—MEXICO, BY CHIEF U. S. CUSTOMS DISTRICTS, 1920

Customs District	Imports from Mexico	Exports to Mexico
New York.....	\$36,769,852	\$55,325,595
New Orleans.....	32,120,508	31,457,963
Arizona	22,891,471	14,947,985
Galveston	11,046,785	4,533,654
San Antonio.....	10,122,560	55,615,279
Sabine	8,779,564	12,365,502
San Diego.....	7,426,183	5,147,732
Maryland	6,597,561	2,103,006
Los Angeles.....	6,580,972	3,397,781
San Francisco.....	6,239,791	5,792,656
Massachusetts	5,705,621	2,103,006
El Paso.....	4,923,478	13,656,602
Philadelphia	4,301,399	2,766,587
Rhode Island.....	4,103,370	5,122

*A FEW SUGGESTIONS THAT WILL EXPEDITE BUSINESS WITH MEXICO

By E. J. GODDARD

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Selling Terms: In the question of terms under which sales are to be made, what applies to South America, in general, applies to Mexico. After a careful investigation as to the financial standing of a merchant, if found of proven responsibility, credit terms of from 30 to 90 days from date of arrival of merchandise at port of entry are justified and indispensable for the development of trade. During the past year the greater volume of sales to this country were effected on the above terms, drafts being drawn to be accepted against delivery of documents.

While a certain number of merchants in Mexico will not permit drafts to be drawn on them, they are in the minority and, as a rule, long-established firms of such standing as to warrant open account transactions.

Trade Marks: The registration of a trade mark is of vital importance to the manufacturer who is to introduce a trade-marked article in this country, as Mexico, like most Latin-American countries, grants the exclusive right to use a trade mark to the first applicant, and this regardless of whether it is already in use by another.

The ownership of a mark is based upon registration, and because of this the necessity for registering at the earliest moment and in the name of the manufacturer is obvious.

The registering of the trade marks by unscrupulous and unauthorized persons or firms for speculative purposes is not uncommon in Mexico, many manufacturers having been caused considerable trouble and expense because of this practice.

The Patent and Trade Mark Law of Mexico now in effect was passed in August, 1903, and affords ample protection to legitimate owners of trade marks. It is defective in that the Patent Office makes no investigation as to novelty or prior registration, and as long as formal requirements of the law are complied with it grants a certificate of registration. This is the case even when the same mark has been previously registered. However, the same law protects the first registration and imposes severe

penalties on those who undertake to use or imitate a duly registered mark. Article 18 of the law covering this point reads as follows:

"Any person who places upon the goods that he manufactures a trade mark duly registered by another covering the same class of goods will be punished by imprisonment of from one to two years and fine of from one hundred to two thousand pesos.

"Any person who places upon his goods a trade mark that is an imitation of one legally registered, in such manner that at first sight it is confused with the original and is detected only after a careful examination, will be subject to the same penalties referred to in the foregoing paragraph.

"A similar penalty will be imposed upon any person who places upon his goods a mark which may have been legally registered, so as to make it appear as if it were another, by any addition, subtraction or alteration."

Packing and Marking Merchandise: In packing merchandise for export to Mexico, the following points should be considered:

Bear in mind the final destination and means of transportation used to reach that place, as well as the physical and chemical properties of the manufacture.

The purchaser, as a rule, gives explicit instructions at the time of placing his order as to the most appropriate packing, and his instructions should be carefully followed.

It must be remembered that duties are levied ad valorem, or on gross legal or net weight, and, consequently, that the duties on the same merchandise oftentimes vary because of the class of container used in packing. While the purchaser, who is usually familiar with the classification the merchandise he orders will receive, and takes this into consideration when giving instructions as to packing, it is advisable for the exporter to familiarize himself with the Custom Tariff, as it may apply to the merchandise he handles.

Mark all packages clearly with brush or stencil and on at least two sides. The marks usually take the form of numbers and letters inserted in squares, circles or triangles. Number the packages consecutively; give their gross, net, and legal weight in pounds and kilograms, and on goods intended for water transportation show cubic dimensions. All these marks, numbers and weights should be faithfully reproduced on all documents.

Stamp Charges: Stamps are required on commercial invoices, drafts, receipts and on practically all documents pertaining to payments. The charges are as follows:

Cheques, 2 cents, regardless of the amount (but only 5-cent stamps are printed at present).

Drafts, 10 cents, regardless of the amount.

Promissory notes, 2 cents for every twenty pesos, or fraction.

Receipts, same as promissory notes.

Invoices, 5 cents per 1000.

On all documents requiring stamps, but drawn in foreign currency, the charge is calculated on the equivalent in local currency at gold parity.

On drafts drawn in foreign currency and originating in a foreign country, but payable in Mexico (drafts sent for collection), the stamp charge is the same as on drafts drawn here. Foreign invoices covering goods shipped to Mexico require no stamps. Delegation of power, simple contracts, deposits, etc., require a 50-cent stamp. Books of accounts must be rubricated, a charge of 5 cents being made for each leaf.

Examination of Merchandise: It is not customary to permit examination of merchandise before acceptance or payment of draft. Where the consignor has no objection to merchandise being examined, draft should carry instructions to that effect.

The Custom Houses permit the examination of merchandise in their possession to those presenting a negotiable bill of lading, in order, and properly filled out application (forms for the purpose are furnished by the Custom House). There is no charge in connection with this service.

Protest of Drafts: Drafts can be protested for non-acceptance or non-payment. If protested for non-acceptance, they must necessarily be protested for non-payment before legal action can be secured. When drafts are presented for acceptance and refused, and a notation is made on the draft itself to that effect, the draft must be protested within 24 hours. If refusal for non-acceptance is verbal, no notation being made on the draft, protest can be effected at a future date. Drafts must be protested within 24 hours after date of maturity. Drafts drawn to a fixed date should be presented for acceptance the same as those drawn at day's sight.

Protest charges vary from 10.00 to 100.00 pesos, depending on the amount involved and the number of notifications necessary. Charges on average protest of draft under \$1000 United States currency amount to between 10.00 and 25.00 pesos. Where items are paid after protest, it is customary for drawee to pay charges.

Salesmen's Licenses: In each state, and oftentimes in different cities of the same state, the tax imposed on traveling salesmen or representatives varies. For instance, in the State of Chihuahua the salesman or representatives visiting any city in that state will be taxed from \$3.00 to \$50.00 Mex., depending on the importance of the business to be transacted; in the State of Guerrero, \$5.00 to \$10.00; in the State of Tamaulipas, including Tampico, no tax is levied; in the State of San Luis Potosí, \$10.00 to \$100.00; in the State of Jalisco, in some places, \$1.00 to \$1000.00; and in others no charge is made. As a whole, the tax imposed is very moderate. Where representatives or salesmen do not carry samples, or the purpose of their trip is to appoint agents, in the majority of the states no tax is levied.

Shipping Documents: On shipments entering Mexico through border points, the customs broker and forwarding agent must be provided with the original Bill of Lading or Express Receipt; 3 copies of United States Shippers' Export declaration (custom house Form 7525); 1 copy of United States Shippers' Certificate of Exemption-Transportation Tax (Treasury Department Internal Revenue Form 799), and 2 copies each of Commercial Invoice and Packing List. These shipping documents should be sent to the customs broker promptly upon the forwarding of the shipments from the point of origin and thereby avoid delays to shipments pending receipt of the documents at the border port.

Separate invoices should be rendered for each order, but one or more orders may be included in each shipment to save ocean freight and booker's fees at the port of entry.

Instructions Accompanying Drafts: What applies to South America, as outlined by F. O. Malley, of the National City Bank, in his publication, "Our South American Trade and Its Financing," page 31, applies to Mexico.

In Mexico drafts can only be protested for their face value, and in the event that drafts carrying instructions as to charges are protested, these are superfluous.

Drafts should carry the following instructions as to payment:

"Pagadero precisamente en oro nacional metalico al tipo de cambio a que venda el Banco sus giros sobre Nueva York."

Samples: Custom Houses will permit the introduction of samples which are intended to be re-exported within six months after date of entry, and without the payment of duties where acceptable bond is furnished, under

which the guarantor becomes liable for the duties and a fine in addition thereto in the event that they are not returned within the specified time limit or extension of time secured. By applying to the head of the Custom Houses Department in Mexico City the time limit for the re-exportation of samples can be extended up to a period of two years.

Shipments to Interior Points in Mexico: As through bills of lading are not available to interior points in Mexico, shipments are usually consigned to the purchaser's agent or broker at port of entry. Where documents are to be delivered against acceptance or payment of draft, these, together with the draft, should be forwarded to destination, unless special arrangements are made for payment or acceptance at port of entry. On shipments from Atlantic ports to Vera Cruz or Tampico, final destination being at interior point, the documents should be forwarded by mail, via Laredo, to collecting bank at destination, the purchaser recovering documents against payment or acceptance, as the case may be, and forwarding documents to port. Due to the faster time the documents make by mail, these can usually reach Vera Cruz or Tampico at about the same time the merchandise does. This also applies to shipments to interior points routed via Laredo or Eagle Pass and originating in the Eastern States.

Documents Required for Releasing Shipments: In any seaports of entry the only document required by the carrier is a negotiable copy of bill of lading, and, in the absence of this, in the case of direct consignments, shipments will be released on furnishing an acceptable bond. Trouble is experienced in securing release of merchandise in "to order" shipments, it being usually necessary to have the carrier's agent at point of origin give instructions to this effect. Custom houses will release merchandise on presentation of negotiable bill of lading in order and consular invoice.

Where consular invoice is missing, merchandise can be withdrawn from custom house by furnishing acceptable bond, under which is assumed the obligation to produce the invoice within 30 days. In the event this is not complied with, a penalty of double duties is imposed.

On shipments entering Mexico through frontier ports of entry the only document required is the consular invoice, which is taken out by the shipper or custom house agent on the American side.

CONSULAR OFFICES AND PORTS OF ENTRY

MEXICAN CONSULAR OFFICES IN THE UNITED STATES

The Mexican government maintains consuls or consular agents in the following cities:

State	City	Rank
Alabama.....	Mobile.....	Consul
Arizona.....	Clifton.....	Consul
	Douglas.....	Consul
	Globe.....	Vice-Consul
	Jerome.....	Consul
	Naco.....	Consul
	Nogales.....	Consul
	Phoenix.....	Consul
	Tucson.....	Consul
	Yuma.....	Consul
California.....	Calxico.....	Consul
	Los Angeles.....	Consul and Vice-Consul
	San Diego.....	Consul
	San Francisco....	Consul General and Vice-Consul
Colorado.....	Denver.....	Consul
Florida.....	Jacksonville.....	Consul
Hawaii.....	Honolulu.....	Consul
Illinois.....	Chicago.....	Consul and Vice-Consul
Louisiana.....	New Orleans.....	Consul General and Vice-Consul
Maryland.....	Baltimore.....	Consul
Massachusetts.....	Boston.....	Consul and Vice-Consul
Missouri.....	Kansas City.....	Consul
	St. Louis.....	Consul
New Mexico.....	Columbus.....	Consular Agent
	Santa Fe.....	Consular Agent
New York.....	Buffalo.....	Vice-Consul
	New York.....	Consul General and Vice-Consul
Ohio.....	Cincinnati.....	Consul and Vice-Consul
Oregon.....	Portland.....	Consul
Pennsylvania.....	Philadelphia.....	Consul
	Pittsburgh.....	Vice-Consul
Philippine Islands..	Manila.....	Consul
Porto Rico.....	San Juan.....	Consul
Texas.....	Brownsville.....	Consul
	Corpus Christi....	Vice-Consul
	Del Rio.....	Consul
	Eagle Pass.....	Consul
	El Paso.....	Consul General, Consul and Vice-Consul
	Fort Worth.....	Consul
	Galveston.....	Consul
	Hidalgo.....	Consular Agent
	Laredo.....	Consul and Vice-Consul
	Port Arthur.....	Consul
	Presidio.....	Consul
	Rio Grande.....	Consul
	San Antonio.....	Consul and Vice-Consul
	Texas City.....	Consul
	Zapata.....	Vice-Consul
Utah.....	Salt Lake City...	Consul
Virginia.....	Newport News...	Consul
Virgin Islands.....	St. Thomas.....	Consul
Washington.....	Seattle.....	Consul

UNITED STATES CONSULAR OFFICES IN MEXICO

Commercial Attaché, Carlton Jackson, 2 Francisco Madero, Mexico City.

Consular offices are maintained in the following cities:

Acapulco, Guerrero.	Monterrey, Nuevo Leon.
Aguascalientes, Aguascalientes.	Nogales, Sonora.
<i>Cananea, Sonora.*</i>	Nuevo Laredo, Tamaulipas.
Chihuahua, Chihuahua.	<i>Oaxaca, Oaxaca.</i>
Cuidad Juarez, Chihuahua.	<i>Parral, Chihuahua.</i>
Durango, Durango.	Piedras Negras, Coahuila.
Ensenada, Lower California.	Progreso, Yucatan.
Frontera, Tabasco.	<i>Puebla, Puebla.</i>
Guadalajara, Jalisco.	<i>Puerto Mexico, Vera Cruz.</i>
Guaymas, Sonora.	Salina Cruz, Oaxaca.
<i>Lobos, Vera Cruz.</i>	Saltillo, Coahuila.
<i>Los Mochis, Sinaloa.</i>	San Luis Potosi, San Luis Potosi.
Manzanillo, Colima.	Tampico, Tamaulipas.
Matamoros, Tamaulipas.	<i>Torreón, Coahuila.</i>
Mazatlan, Sinaloa.	<i>Tuxpam, Vera Cruz.</i>
Mexicali, Lower California.	Vera Cruz, Vera Cruz.
Mexico City.	

*Names in italics are consular agencies and vice consulates.

PORTS OF ENTRY

GULF

Campeche (Campeche), connected with Merida by United Railways of Yucatan. Population 20,000. An important shipping center for hides, sisal, chicle, etc.

Coatzacoalcos or Puerto Mexico (Vera Cruz). Eastern terminus Tehuantepec National Railway. An important oil refinery of the Mexican Eagle Oil Company is situated on the Coatzacoalcos River above Puerto Mexico.

Matamoros (Tamaulipas), at the mouth of the Rio Grande. Population 18,000.

Progreso (Yucatan), principal port of entry for Yucatan. Connected with Merida by United Railways of Yucatan.

Tampico (Tamaulipas). Six miles from mouth of Panuco River. The most important oil port in the world. Population 25,000, many of whom are Americans. Connected with Monterrey and San Luis Potosi by two lines of the National Railways.

Tuxpam (Vera Cruz). Five miles from mouth of Tuxpam River. An important oil center and shipping point.

Vera Cruz (Vera Cruz). The chief port of Mexico. Connected with Mexico City by Mexican Central and Interoceanic Railways; with the Isthmus of Tehuantepec by Vera Cruz and Isthmus Railway. Population 40,000.

PACIFIC

Acapulco (Guerrero). Population 7000. Vessels must anchor off shore.

Altata (Sinaloa). Port of entry for Culiacan.

Ensenada (Lower California). Population 3000. Vessels anchor a mile off shore. Little development of back country.

Guaymas (Sonora). Population 17,000. Passengers and goods landed by shore boats from steamer. On Southern Pacific of Mexico.

La Paz (Lower California). Population 6000. Gulf port. Chief industries mining and pearl fishing.

Manzanillo (Colima). Population 2000. Rail connection by Colima-Manzanillo Railway with Guadalajara and Colima.

Mazatlan (Sinaloa). Population 28,000. Chief Mexican port on Pacific. On main line of Southern Pacific.

Salina Cruz (Oaxaca). Population 6000. On Gulf of Tehuantepec. Western terminus Tehuantepec National Railway. Port of call for all steamers.

San Blas (Nayarit). Population 3000. An old port, but now of minor importance because of undeveloped back country.

San José del Cabo (Lower California). Population 3000. A salt and mining center. Otherwise of little importance.

Santa Rosalia (Lower California). Population 10,000. One of the largest copper camps in Mexico. Across the Gulf from Guaymas. Entirely controlled by El Boleo Copper Co.

Topolobampo (Sinaloa). An excellent port, connected with the Fuerte River Valley and the Southern Pacific of Mexico by the Kansas City, Mexico and Orient Railway.

BORDER

Agua Prieta (Sonora). Opposite Douglas, Arizona. Connected with the important copper camp of Nacozari by the Nacozari Railroad. Chief exports and imports have direct relation to this and other mining centers in eastern Sonora.

Ciudad Juarez (Chihuahua). Across the Rio Grande from El Paso. Border terminus of Mexican Central Railway connecting with Chihuahua and Mexico City, and of Mexican North-western connecting with Chihuahua. One of the most important border ports.

Ciudad Porfirio Diaz (Coahuila). Formerly known as Piedras Negras. Opposite Eagle Pass. One of the chief gateways to Mexico via the National Railway.

Mexicali (Lower California). Opposite Calexico. Rail connections east and west, but none with interior or Gulf. Most important cotton export center in the Republic.

Matamoras (Tamaulipas). Opposite Brownsville. Connected with Monterrey and Tampico by National Railway.

Naco (Sonora). Opposite Naco, Arizona. Population insignificant, but an important shipping center because of rail connections with Cananea. The latter lies 40 miles from Naco on a branch line of Southern Pacific and is the most important copper camp in northern Mexico, if not in the entire Republic.

Nogales (Sonora). Opposite Nogales, Arizona. Rail connections with the entire west coast. Port of entry for Sonora. Northern terminus for the Southern Pacific of Mexico. An important shipping center.

Nuevo Laredo (Tamaulipas). Opposite Laredo, Texas. An important gateway to Monterrey via the National Railways.

MANUFACTURING

Manufacturing in Mexico has hitherto been hindered by the inadequacy of transportation facilities, want of capital and lack of skilled workmen, uncertain political conditions, and the scarcity of coal. Until 1880 all the coal used in the country came from abroad, and the need for other fuel was met by the use of wood and charcoal. The imported coal, much of which came from England and Wales, was too expensive for the development of manufacturing on a large scale. The chief factor in the price was not the cost of bringing the coal to Mexico, but of transporting it from seaboard to the manufacturing cities, all of which were located several hundred miles inland and at altitudes of from 5,000 to 8,000 feet above the coast. As a result, coal could not be had at Monterrey or Mexico City for less than \$12.00 or \$15.00 a ton.

In the early eighties coal deposits were discovered in the northern part of Coahuila, across the international line from Eagle Pass. Since that date considerable development has taken place in the Sabinas, Esperanzas, and Fuente basins, all of which lie within a short distance of the Texas border. The coal produced by these fields, however, is of an inferior quality and is sufficient to meet less than half of the very moderate demands of the country.

Undeveloped coal resources exist in Sonora and Durango, and perhaps in other states as well. But the hope of Mexico, from the industrial standpoint, must after all rest upon the larger development of hydro-electric power and the more general adoption of fuel oil, rather than upon the widespread use of coal.

Iron ore exists in large quantities in many states, notably in Durango, but so far it has not been smelted on a large scale.

Despite such handicaps, however, considerable manufacturing is done in Mexico. Aside from the very large total of household manufactures (a system which still meets a considerable part of the country's demands), there are also a number of cities with well developed industries, chief of which are iron and steel foundries, tanneries, textile and flour mills, glycerine works, breweries and cigarette factories.

The following list includes the chief manufacturing cities and the industries of most importance:

City	State	Manufactures
Aguascalientes	Aguascalientes	Cotton mills, tobacco factories, potteries, flour mills
Chihuahua	Chihuahua	Smelters, iron foundries, soap works, breweries
Durango	Durango	Cotton mills, tanneries, flour mills
Gomez Palacio	Durango	Soap, cotton seed, glycerine factories
Guadalajara	Jalisco	Breweries, textile mills, flour mills, foundries
Hermosillo	Sonora	Flour mills, foundries
Irapuato	Guanajuato	Foundries, tanneries
Jalapa	Vera Cruz	Textile mills, cigar and cigarette factories
Mazatlan	Sinaloa	Foundries, tanneries, soap works, tobacco factories
Merida	Yucatán	Flour mills, tobacco factories
Mexico City	Fed. Dist.	Various
Monterrey (Chief mfg. city in the Republic)	Nuevo Leon	Smelters, foundries, cotton and flour mills, breweries, locomotive and machine shops, steel mills
Oaxaca	Oaxaca	Flour mills, breweries
Orizaba	Vera Cruz	Cotton mills (largest in Mexico)
Puebla	Puebla	Textile, glass, and flour mills
Queretaro	Queretaro	Textile and flour mills, tanneries
Saltillo	Coahuila	Textile and flour mills, tanneries
San Luis Potosi	San Luis Potosi	Tanneries, flour mills, soap works, woolen mills, nail factory
Toluca	Mexico	Corn and flour mills, tanneries, breweries, textile mills
Torreón	Coahuila	Smelters, soap factories, quayrele works, machine shops, flour mills

HYDRO-ELECTRIC DEVELOPMENT

Hydro-electric development, though of comparatively recent origin, has done much in favorably located districts to relieve industry and transportation from the burden suffered because of the scarcity of coal. English, American, and Canadian Companies have erected the chief hydro-electric plants in the republic. The Mexican Light and Power Co. (Toronto, Canada) supplies power for the lighting system and street railways of the capital and for the mining centers of Pachuca and El Oro. Its chief plants are located at the falls of the Necaxa River in northern Puebla. Here a series of dams, tunnels, and reservoirs has been constructed to furnish a constant supply of water. A transmission line 95 miles long delivers the power to Mexico City, and an additional 75 mile line carries it to El Oro. The main and subsidiary plants are capable of generating 132,000 h. p.

The Puebla Tramway Light and Power Company (Toronto and London) supplies electricity to the cities of Puebla and Vera Cruz as well as to nearby factories and mines. Its plants are located on the Atoyac and Los Molinos Rivers, in the State of Puebla and on the Rio Blanco and Atoyac in Vera Cruz.

The Guanajuato Power and Electric Company, an enterprise organized and controlled by Colorado capitalists, has a number of

plants in the state of Guanajuato, with a total capacity of about 25,000 h. p. The power is transmitted over 100 miles to the city of Guanajuato and the surrounding mines. This district, once the richest in Mexico, fell into decay and was almost abandoned because of the difficulty of working the mines and of extracting the silver from the low grade ore which remained after centuries of development. The use of electric power and the introduction of the cyanide process in extracting silver wrought a complete revolution in the fortunes of Guanajuato and restored to it much of its old importance.

The latest large hydro-electric enterprise to be completed is that of the Mexican Northern Power Company, another Canadian concern, whose plant is located on the Conchos River in Chihuahua, about 50 miles from Parral. This company erected three huge dams, the largest of which was called the Boquilla, to form a lake covering 45 square miles. Turbines have been installed for the generation of 40,000 h. p., with provision made for an additional 20,000 as the demand arises. The power is transmitted chiefly to Parral, but eventually will be extended to the city of Chihuahua, and the mines of Santa Eulalia.

Besides these four largest power companies, there are many smaller concerns supplying electricity to important cities, such as Guadalajara, Tampico, and Monterrey. Some of these employ steam for generating purposes, and others water. In addition, many of the larger mining companies have established their own plants to supply the needed power for their operation. The surplus electricity is disposed of to the mine towns for lighting and other purposes.

The following is the official list of the hydro-electric plants in the Republic:

- Mexican Light and Power Co., Necaxa, Puebla.
- Agricultural and Electric Power Co. (Mex. Northern Power Co.), Boquilla, Chihuahua.
- Electric Tramway, Light and Power Co. of Puebla, Tuxpango, Vera Cruz.
- Hydro-Electric and Irrigation Co. of Chapala, El Salto, Jalisco.
- Michoacán Power Co., Botello, Michoacán.
- Guanajuato Power Co., Platanar, Michoacán.
- Electric Transmission and Power Co., Trinidad, Hidalgo.
- Electric Light, Power and Tramway Co. of Pachuca, Macavaca, Mexico.
- Querétaro Hydro-Electric Co., Las Rosas, Querétaro.
- Hydro-Electric Co. of Zapótam, Zapótam, Jalisco.
- Electric Co. of Alumbrado, Atlixco, Puebla.
- Trinidad Light and Power Co., Tirio, Michoacán.
- Light and Power Co., Casas Blancas, Michoacán.
- Soconusco Industrial Electric Co., Chicharras, Chiapas.
- Hydro-Electric Plant of El Vado, El Vado, Michoacán.
- Hydro-Electric Plant of San Juan, San Juan, Michoacán.
- Hydro-Electric Plant of Zitacuaro, Uruápam, Michoacán.
- Hydro-Electric Plant of Atotonilco, Atotonilco, Jalisco.
- Argomedo and Sons, Salvatierra, Guanajuato.
- Electric Co. of Rio Verde, B. del Carmen, San Luis Potosí.
- Fredric Baetzner Co., San Andrés, Vera Cruz.
- Union Mill Co., Simonito, Mexico.

SECTION V—NATURAL RESOURCES

CONCESSIONS: A BRIEF ANALYSIS*

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Definition: A *concesión*—or to use the common English rendering a *concession*—is a privilege granted by the state to do certain acts which may not be performed as a matter of common right by all members of the community. These privileges fall naturally into two main divisions: (1) Those relating to the public domain; (2) Those dealing with public utility services. Thus they cover the enjoyment of waters, the grant of lands, the development of mines, the construction and operation of railroads, telephones, etc.

There is another class of grants to which the term *concessions* has been somewhat loosely applied. We refer to certain contracts whereby the Government granted individuals or corporations special tax immunities, in return for the assumption of specific obligations. Among these may be cited an agreement to build a smelter of prescribed capacity; an agreement to invest a stipulated sum in the extraction of subsoil products from privately-owned lands, etc. This system became indeed such an integral part of the policy of the Diaz régime for the economic development of Mexico that a law, known as the new industries act, was passed to this end. It took the form of an enabling act, that is to say, prescribed the general conditions with which every applicant for these privileges was called upon to comply. The measure was the means of the establishment of many small industries which could not otherwise have taken root in Mexico. The constitution of 1917 has struck a death-blow at the system, for Article 28 forbids all "exemption from taxation."

Concessions are not peculiar to Latin-America. Anglo-Saxon jurisprudence defines a *franchise* as "a particular privilege conferred by the sovereign power of the state and vested in individuals." It will be evident from the definition that no difference exists between the *concesión* and the *franchise*. While the term *franchise* is perhaps more strictly confined to the special privilege to do a certain thing, its meaning has now been extended to embrace the document authorizing and defining the exercise of the privilege. But the confusion of terms does not stop here, for another is also commonly used in the latter sense. We refer to *charter*, which has by general use largely superseded that of *franchise* to designate the evidence of the privilege.

*Printed in this section because of the dependence of all industries devoted to the development of Mexico's natural resources upon the official grants known as concessions.

The history of concessions in Mexico, as will be shown later, has yet another point in common with the charter system in force in the United States: both have progressed from the special grant to the general enabling act.

Power of Granting: We pass now to the more practical question of the province of the federal government and of the states, respectively, in granting concessions.

Several factors have contributed to the subordination of the states to the federation which is observable in Mexico. There the states came into being simultaneously with the federal government. Accordingly, the sphere of action of the federal government in Mexico was not limited in the same sense in which its powers were circumscribed by the federal constitution of the United States. Strong centralization of power is indeed an historic fact in Mexico, and the long Diaz administration saw the federal power still further enhanced at the cost of state sovereignty. Thus, mining legislation was withdrawn from state control on December 14, 1883. Again, all interstate waters were placed under federal jurisdiction by the act of June 5, 1888. Accordingly, the action of the states in the matter of concessions is now confined to enterprises of an essentially intra-State character, and is almost negligible.

A concession requires both legislative and executive action. The former is registered at times by means of special rules, and at others through general rules. In other words, two classes of cases present themselves: (1) Where an enabling act, uniform in operation and effect, exists; (2) Where no enabling act exists.

The history of concessions in Mexico shows a steady trend toward the passage of enabling acts. In early railroad legislation each charter was the object of a special grant. These grants soon began to follow certain broad lines, which were particularized in the law of December 16, 1881. As Mexico developed and new economic problems arose, changes in the now almost standardized model became imperative; and the grant of railroad charters evolved gradually until it culminated in the enabling act of April 29, 1899. The same evolution is observable in the legislation on waters, mining, banking, etc. Although there was no special act governing the exploitation of timber and the extraction of rubber and other tropical wealth on national lands, the public lands law of March 26, 1894, empowered the executive to conclude contracts for the development of these resources. The broad power here conferred was later defined by administrative regulations which govern also hunting and fishery permits.

Thus far only the legislative aspect has been outlined. It remains to consider the function of the executive.

The development of the public domain always received special attention in Spain and Latin-America. It is not surprising then to find in these countries an executive department which

has no exact counterpart in Anglo-American institutions. This department is known as Fomento, and has jurisdiction in general over all sources of natural wealth. To this department, therefore, appertain all concessions for the development of the public domain. To the department of communications and public works are referred concessions relating to railroads and the telegraph and telephone services, with the right of intervention by the department of finance and public credit, whenever a matter of subsidy or other money grant is involved.

The procedure to be followed in obtaining a concession will now be outlined.

Method of Obtaining: The first step consists in the filing of a petition with the proper executive branch, specifying the privilege it is desired to enjoy, e. g., the use of a certain volume of water for purposes of irrigation or water-power, the privilege to fell a specified number of trees within defined boundaries on national lands, the right to build and operate a railroad between designated points, etc. If the petition satisfy the requirements of form, the application is published in the Official Gazette, in accordance with the administrative regulations of the competent department. This publication affords an opportunity to any interested party to offer an objection, or to submit a claim, valid or alleged, against the granting of the concession. Furthermore, the applicant must show good cause, and his petition stand a rigid test of public interest. On the expiration of the term for protest, a more searching investigation of the genuineness of the enterprise and of the reliability of the applicant is undertaken; and not until its satisfactory conclusion is the concession granted. The regulation of these applications during the Diaz régime was the subject of increasing study. In the early days, it was common to grant "a railway concession to anyone asking for it without investigating the responsibility of the concern." Immense progress is recorded from this condition, and that prevailing in the later days of the Diaz administration. This is well exemplified by the conditions required for a petition for a concession under the water law of December 14, 1910. They are as follows: (1) Publication of the application in the federal and state official gazettes; (2) Assignment of a period of sixty days after last appearance for the filing of opposing claims; (3) Filing of bond to guarantee performance; (4) Appeal from this ruling to the courts allowed either applicant or claimant, if exercised within thirty days; (5) Summary decision of suits instituted, the term for taking evidence being limited to forty days.

The several conditions of the grant are now embodied in a contract between the executive and the concessionaire. This contract comprises a number of articles imposing reciprocal obligations and conferring reciprocal benefits.

An important departure from this rule should be noted in the case of mining. While the mining grant furnishes perhaps the most complete example of a *concesión*, the terms of the grant are not incorporated in a separate contract. The reason for this is to be found in the historic evolution of mining. Indeed, the only specific obligation contained in the mining grant or patent is the payment of the annual rent in recognition of a superior estate in the nation.

Forfeiture: A concession as we have seen takes the form of a contractual relationship; it can not therefore be modified except by mutual consent. The 1917 constitution sweeps this principle aside, and vests in the Executive absolute power to review all contracts and concessions since 1917, and even to declare their nullity under certain conditions. The exact language is as follows: "All contracts and concessions made by former governments from and after the year 1876 which shall have resulted in a monopoly of the lands, waters and natural resources of the nation by a single individual or corporation are declared subject to review, and the Executive is authorized to declare those null and void which seriously prejudice the public interest." (Article 27.)

Every concession contains an enumeration of the grounds for forfeiture. This clause usually provides for forfeiture through administrative declaration; but a tendency kept asserting itself in the later laws of the Diaz administration to allow appeal to the courts from the action of the executive. This principle has been embodied in the mining law of November 25, 1909, and the water law of December 14, 1910.

Restrictions on Foreigners: The next element to consider is the recipient of the privilege. The first natural division is into national and alien, with the subdivision of each into individual and corporate.

The prohibition against foreigners holding land within a prescribed zone from the border without special permission from the Executive dates back to the earliest legislation of independent Mexico. It was customary during the Diaz administration to grant this permission largely as a matter of course, except where the precept was absolute. Thus the mining law of November 25, 1909, makes absolute the restriction to hold patent or title to properties within a certain area from the border in the case of foreign companies. Similarly, the water law of December 14, 1910, while making no distinction as between individuals, limits the grant of a concession to "companies organized under the laws of Mexico, and to such Mexican associations, public or private, as have legal capacity to enjoy such grants." There was, accordingly, precedent for the provision inserted in the 1917 constitution whereby foreigners are forbidden to acquire the owner-

ship of lands and waters within an area of one hundred kilometers from the frontiers and fifty kilometers from the seacoast; but the precept broadens the scope of the former limitations by including the seacoast strip and by depriving the Executive of the discretionary power of making exceptions heretofore exercised by him. Similarly, under the same instrument, foreign corporations may not acquire concessions to develop the natural resources of the country, while foreign individuals may do so only after waiver of their right to the diplomatic protection of their governments.

Common Provisions: While the diversity of subject-matter makes it impossible to reduce all concessions to a standard form, there are certain conditions common to all. They may be enumerated as follows:

1. Reservation regarding interests of third parties;
2. Deposit in bonds of the public debt to guarantee compliance by the concessionaire;
3. Forfeiture clauses;
4. Waiver of diplomatic protection;
5. Time limitation.

It might be thought that for historical reasons the land and mining grants furnished the model for other lines of activity. Such is not the case, however; and the reason is not far to seek. The system of concessions in Mexico has grown up since 1876 around the foreign capital which was first attracted to the possibilities of railroading in that country. It is the railroad franchise that set the standard; it must hence be our starting-point.

Railroads: Railroad history in Mexico falls naturally into three epochs: (1) Early history down to the Tuxtepec revolution which brought General Diaz into power; (2) Period between 1876 and 1898; (3) The Limantour policy, as embodied in the railroad law of April 29, 1899.

Early history centers around the Mexico City-Vera Cruz line. The first charter for this road bears date of August 22, 1837, and took the form of an exclusive privilege. After passing through several hands, and enjoying no less than twenty-five legislative enactments, the line was finally completed on January 1, 1873, chiefly through the unflinching perseverance of two Mexican citizens, Manuel and Antonio Escandón, aided by British enterprise and capital. The franchises of this period granted certain exclusive and perpetual privileges as a bonus to private initiative which in the light of modern theories of government would probably deserve condemnation, but which when projected against the background of instability then prevailing seem none too liberal.

The second epoch from 1876 to 1898 marks the heyday of railroad charters. Franchises were given "freely, almost with prodig-

gality, to any applicant, without standard nor measure, and it may even be said without order nor system." On December 16, 1881, there was enacted the first railroad law. It defined the constitutional term, "general ways of communication." The measure is important for two reasons. First, the control of the federal government over railroads, telegraphs, and telephones was made virtually complete. Secondly, a state monopoly was created over telegraph lines. This monopoly has now been sanctioned by the 1917 constitution.

Two franchises conferred in this period deserve more than passing reference: The charter granted to the Mexican Central Railway on September 8, 1880, and that given to the Mexican National Railway on September 13, 1880. Both franchises contain fundamentally the same terms. They are: (1) Reversionary right in favor of the nation, at the end of ninety-nine years, of the railroad, unencumbered; (2) Rolling stock to be valued by experts and the amount paid to the company; (3) The operation of the line to be in the hands of the concessionaire, subject to governmental inspection; (4) Maximum freight and passenger rates fixed; (5) Free mail service; (6) Rebate of sixty per cent in freight and passenger service for the army and federal civilian employees, when engaged in official business.

To offset these severe obligations, the government afforded the companies the following privileges: (1) Free importation of equipment and rolling stock; (2) Right to take property for the construction of the line, stations, etc., under condemnation proceedings; (3) Almost complete exemption from all kinds of "taxes, tolls, and imposts, levied or to be levied by any authority in the republic, whatever be the nature, denomination or purpose of the said imposts"; (4) Subsidy of nine thousand pesos per kilometer completed; (5) No subsidy to be given to any parallel lines built within seventy-five miles on either side.

The third epoch pivots around the figure of Limantour. In the annual report of his department for 1898-1899, he unfolded a comprehensive railroad plan, the main ideas of which were incorporated into the law of December 17, 1898, later amplified by the railroad act of April 29, 1899. The basic principle of this measure stipulates that "franchises shall be granted for a term of not over ninety-nine years; and at the termination of the franchise, the railroad, together with all its appurtenances, shall become the property of the nation, free from encumbrance, and the nation shall be bound to pay only for the rolling-stock and personalty." In consonance with the ideas expounded in the Limantour report, there are stringent regulations surrounding the grant of a railroad franchise. On the approval of the application by the department of communications and public works, there is required, in the case of lines classified as of primary importance, an initial deposit in bonds of the public debt at the rate of one

hundred and fifty pesos per kilometer measured "as the crow flies," increased by ten per cent. After complying with this stipulation, the applicant is called upon: (1) To show the bona fide existence of the company seeking the concession and its ability to operate the road; and (2) To furnish satisfactory evidence that the capital stock necessary to complete the survey of the line has been subscribed. The grounds for forfeiture are: I. Failure to begin the survey within the term set; II. Failure to complete in any year the number of kilometers stipulated; III. Total or partial interruption of the public service of the line, except in case of force majeure; IV. Transfer of the concession, or of the rights thereunder, without authority; V. Transfer, alienation, or encumbrance of the concession or of the lines to any foreign state or government, or the admission of either as a partner.

Land: The first systematic attempt to survey and adjudicate waste lands is the famous Juarez law of July 20, 1863. This important measure has been well summarized in the report submitted to Congress by the Minister of Fomento, Colonization and Industry in 1896. It follows:

"The Juarez administration enacted at San Luis Potosí, in the midst of the horrors and hazards of war, the memorable law of July 20, 1863, fixing the conditions for the occupation and alienation of waste lands. It established the right of every inhabitant to make entry on waste lands up to 2500 hectares (6175 acres); set moderate rates for these lands; facilitated terms of payment, prescribing that two-thirds should be paid in cash and the balance in bonds of the public debt. It recognized possession, although accompanied by certain irregular title-deeds; protected and favored the possessor, offering rebates on the regular valuation and compensating improvements made on the land; it respected lawful ownership; established the legal procedure for the survey of lands; and imposed upon owners under this law the obligation to maintain a settler for each 200 hectares during ten years."

On May 31, 1875, Congress enacted another colonization law. It authorized the execution of contracts on the following conditions: (1) Subvention to be paid the colonization company for each family established; (2) Sale, at moderate rates and on long terms, of suitable lands; (3) Payment of a bonus to each immigrant family; (4) Guarantee of reliability on the part of the companies; (5) Exemption for the settlers from military service; (6) Exemption "from all forms of taxation, except municipal taxes, and from all import and internal dues on farm implements, foodstuffs, etc."

There was passed on December 15, 1883, another important colonization law. It maintained the limit of two thousand five hundred hectares set in the law of July 20, 1863, for the acquisition of lands by a single individual, but introduced a novel feature. The survey of waste lands was entrusted to private companies, which were to receive as compensation for their services one-third of the land surveyed.

On March 26, 1894, a law on the alienation of waste lands was enacted. The importance of this measure on landed property in Mexico cannot be over-emphasized. It preserved the main features of the law of July 20, 1863, but aimed to complement it by increasing the facilities for the acquisition of waste lands. The limitation of two thousand five hundred hectares to which claim might be filed was removed.

Under these two measures, of December 15, 1883, and March 26, 1894, the large survey and colonization contracts of the Diaz administration were made. A typical contract of this period provided that of the two-thirds portion to which the government was entitled the latter agreed to sell to the companies one-half at the regular schedule of rates fixed by the government. In return, the company bound itself to devote "these lands exclusively to settlers . . . of whom twenty-five per cent, at least, should be Mexicans." The settlers were to receive forty hectares per family. The company was also required to establish a model industrial and agricultural colony comprising five hundred families at least, the heads of which should know some trade; one thousand five hundred additional families were to be brought within the next five years. In exchange, the company enjoyed the following privileges: (1) Free importation for ten years (life of contract) of agricultural and industrial machinery and implements; (2) Exemption from taxation, except municipal taxes; (3) Free export of the produce of the colony for the same period.

As time went on, the obligations imposed became more stringent. Provisional patents were issued, exchangeable for definitive deeds only if cultivation by the settler had been consistent during five years; while to the usual forfeiture clause was added a penalty of seventy centavos per hectare of all land not settled.

Congress on November 20, 1896, authorized the Executive to make free grants of national and waste lands to needy farmers. Two amendments to the law of March 26, 1894, were passed on December 30, 1902, and on December 26, 1905, and their main features embodied in the law of December 18, 1909, which suspended "all provisions of the law of March 26, 1894, relating to the filing of claims to waste lands." The second article suspended "the power conferred on the Executive to alienate national lands, which suspension shall subsist until the surveys heretofore made shall have been rectified by official commissions." The law further set forth the conditions under which "leases for the development of waste and national lands might be executed." Article 4 contained virtually the condemnation, by the government itself, of the laws of 1883 and 1894. It prescribed that "contracts of alienation of waste and national lands, executed under the laws of December 15, 1883, and March 26, 1894, shall be terminated on the expiration of the terms stipulated therein; and such contracts shall in no event be revalidated, nor the terms thereof extended."

The regulations of this law, issued June 22, 1910, created an Agrarian Bureau charged with enforcing the law of December 18, 1909.

On February 24, 1912, a decree was promulgated in entire harmony with the last measure. It prescribed that, after survey by official commissions, "the balance of the national lands shall be subdivided into lots of not over two hundred hectares each to be sold to Mexicans" under a schedule of rates embodied in the law; a term of ten years being allowed for payment. Needy farmers were to receive up to fifty hectares of land in localities set apart for colonies, provided they occupied the land as settlers.

Land legislation during the pre-constitutional period and under the 1917 constitution has not yet definitely crystallized. By virtue of the power to declare the nullity of all contracts and concessions which have resulted in monopoly, the several Mexican Governments, and especially the Carranza administration, have canceled various large colonization contracts on the ground that the concessionaires have failed to comply with their obligations. Furthermore, lands have been seized without any compensation being made therefor.

As a corollary to land legislation, there were published on October 1, 1894, the regulations prescribing the conditions under which permits to fell timber, extract rubber, or engage in similar labor on national lands would be granted. No proprietary interest passed under these permits which were merely revocable licenses. The same regulations prescribed minutely the terms for obtaining grazing, fishing and hunting permits.

The Carranza Government granted a considerable number of permits under these regulations. On June 9, 1917, a permit to develop 125,000 hectares (308,750 acres) of national lands in the Territory of Quintana Roo was given. Two articles deserve more than passing notice. In one, the concessionaire is required to establish a primary school for children of the settlement; in the other, he binds himself to carry out the provisions on labor fixed in Article 123 of the constitution.

Mining: It was not till the constitutional amendment of December 14, 1883, that mining was placed under federal jurisdiction. The first mining code of independent Mexico is dated November 22, 1884. It established that mining property should be held subject to the condition of working and developing it. This limitation, coupled with the fact that scientific treatment of low-grade ores had not reached a profitable stage, acted as a deterrent; the industry languished. Accordingly, on June 6, 1887, a tax measure was passed. It limited state taxation "to a sole tax on the value of the metal or substance worked . . . of not over two per cent of this value." Similarly, smelters were assessed a single tax which should not exceed six per mil on the valuation of the property, including fixtures. But perhaps the most im-

portant feature is contained in Article 6 which defined the terms on which the executive might "execute contracts and grant special franchises and liberal privileges (*concesiones*).” The essential provisions were as follows: (a) The life of such grants to be limited to ten years; (b) The minimum capital invested to be 200,000 pesos within five years; (c) Such capital to be exempt from all federal taxation, except the stamp tax, for ten years; (d) A maximum of twenty claims (*pertenencias*) whether contiguous or not; (e) Subdivision and partial transfer of the rights under these contracts, subject to the approval of the department of Fomento, on the assumption of the corresponding obligation by the assignees; (f) The rights and obligations of the several companies, on the expiration of the term of their respective contracts, to be determined by the mining code then in force.

This measure was followed by another enactment of even greater significance. On July 4, 1892, there was passed a new mining code. Article 5 declared that "mining property lawfully acquired and that which may hereafter be acquired in conformity with this law shall be irrevocable and perpetual, provided payment be made of the federal property tax." It made a clear division between substances requiring a *concesión* and those which might be freely worked by the owner of the surface. The detailed procedure necessary for acquiring mining grants (*concesiones*) is carefully outlined in Articles 15-39 of the regulations of June 25, 1892. They provide for an application to be filed before the proper mining agent, its registry, presentation of counter claims, survey of land, etc. An important change was the removal of the limitation on the number of claims that might be filed by one applicant.

A sample concession under this law granted the concessionaire the following exemptions: (1) Freedom from taxation, federal or local, except the stamp tax, on the property of the concessionaire company, including capital; (2) Exemption from military service of its employees; (3) Exemption from import duties and internal revenue taxes on household effects of employees and on material needed for the work; (4) Exemption from export duties for fifty years on products from the mines, and from import duties on coal and wood intended exclusively for the use of the company; (5) Free use, for the same period of years, of the sea-water needed to manufacture salt for the mining properties. On the other hand, the company bound itself: (1) To carry out, free of cost to the Federal Government and within six months, the soundings in the harbor of Santa Rosalía; (2) To cede to the government the free use of the buildings needed for the custom house; (3) To give free mail service on company vessels; and (4) To allow a rebate of fifty per cent "for all goods belonging to the government and for all troops and civilian employees when traveling on public service."

The mining law of June 4, 1892, continued in force till the enactment of the law of November 25, 1909. While the theory underlying the law remained unchanged, a number of modifications were embodied, all of which registered a distinct advance. Thus the substances belonging to the public domain, to which claims might be filed through the system of concessions, are defined in greater detail. Another important modification prescribed that the provisions of the Civil Code of the Federal District shall apply, except as otherwise expressly provided in the law. Again, the old prescription against foreigners exploring, denouncing or holding title to mining property within a zone of eighty kilometers, along any line of division between Mexico and foreign countries, without the permission of the Executive, was maintained in force as to individuals; the inhibition against foreign companies was made absolute.

The 1917 constitution prohibits the securing of mining concessions by foreigners.

Oil: Oil development in Mexico furnishes the best example of the difference between a concession properly so-called and the tax immunity contract to which reference was made at the beginning.

As already pointed out, the first mining law of independent Mexico (November 22, 1884) divided those mineral substances which might be the subject of a concession or license from the state from those which are the property of the owner of the land above. The same classification is found in the law of June 4, 1892, which, indeed, recited that "the owner of the land may freely work without a special concession in any case whatsoever . . . mineral fuels, oil." The mining code of November 25, 1909, is equally specific in enumerating "mineral fuels of whatever form or variety" as "the exclusive property of the owner of the land above."

It is clear then that under this juridical theory there could not be an oil concession properly so-called on privately-owned lands. Only in the case of national lands might such a condition exist.

Thus when Congress granted a British firm the right to explore and develop oil deposits in the national lands of certain Mexican states, it granted a true concession. On the other hand, when an American company was granted certain tax immunities in return for the investment of a specified amount on lands of its own, the contract was not a concession proper. All American companies engaged in the oil industry in Mexico at the date of the enactment of the 1917 constitution had acquired their property by purchase or lease from private owners; none, therefore, enjoyed concessions from any Mexican government.

The 1917 constitution made a profound change in the juridical system which had thus far consistently obtained in Mexico with

regard to oil and certain other subsoil products. It declared them to belong to the nation. A series of executive decrees later sought to place oil on the same legal plane as metalliferous minerals, that is, that oil claims should be acquired in the same manner as mining claims, viz., by means of a concession or license from the state. Protest has been lodged by all governments whose nationals are interested in Mexican oil lands against the several attempts made to enforce this theory as to lands acquired in full compliance with the laws in force at the date of acquisition.

Waters: The first measure which regulated the use of waters under federal jurisdiction by means of concessions is dated June 4, 1894. Its more important features were:

I. Publication of the application in the official organ of the federal government or of the respective state;

II. Determination of all counter claims by competent tribunals, without prejudice to the rights of third parties;

III. Presentation of plans, descriptive memoranda, etc.;

IV. Appointment of a qualified engineer to inspect all survey and construction work, named by the federal executive but remunerated by the concessionaire;

V. Deposit of bonds of the public debt as a safeguard to the fulfillment of obligations;

VI. Approval by the department of Fomento of all schedules for the sale or lease of waters.

The privileges allowed were substantially those to be found in all such laws, namely, exemption for five years from all federal taxation, except the stamp tax; free importation of machinery, scientific instruments, etc.; free occupation of waste and national lands for canals, reservoirs, etc., and right of condemning private property subject to compensation. As a complement to this measure there was passed on December 18, 1896, a law designed to revalidate all franchises granted by states between the passage of the law of June 5, 1888, and the declaration by the department of Fomento that a particular river or stream was embraced within the definition given in Article 1 of the latter act.

The constitutionality of these measures, particularly of that of June 4, 1894, was the subject of bitter debate in the press and by the bar. In order to obviate the serious complications that would ensue were the law to be declared unconstitutional, it was deemed wise to pass an amendment to the constitution empowering the federal government "to define and determine the waters subject to federal jurisdiction and to enact laws as to the use and enjoyment of the same." This was done on June 20, 1908.

Two years later, on December 14, 1910, Congress enacted a law on the enjoyment of waters under federal jurisdiction.

A full chapter regulates in detail the granting of charters. Preference in the use of waters subject to federal jurisdiction is laid down as follows: (1) Domestic purposes; (2) Public service in connection with towns; (3) Irrigation; (4) Water power; (5) Other industrial uses.

In keeping with the policy of greater stringency in the granting of franchises, we find that the right to enjoy waters under federal jurisdiction is limited in the case of corporations to "companies organized under the laws of Mexico, and to Mexican corporations, public or private, provided they have legal capacity to acquire such franchises"; no limitation is placed on individuals. More rigid, too, are the grounds for forfeiture. For the first time there appears in such clauses the provision that "the suspension of the work of construction for three consecutive months or for an aggregate of three months in the year without the consent of the department of Fomento" shall be cause for action by the executive. A clear distinction is made, in the length of the term of enjoyment, between franchises for irrigation or power purposes connected with an agricultural undertaking and those of a public utility character; the former are granted for an indefinite period, while the latter vary between twenty and ninety-nine years. This second type of franchise is further regulated by the provision that, in cases where the term is less than sixty years, the government may acquire the whole property at a price to be fixed by experts; and, in cases where it exceeds sixty years, "all hydraulic works and such appurtenances as are defined as immovables by the civil code of the Federal District shall revert, on the expiration of the franchise, to the nation, which shall not be bound to pay any compensation therefor." Property not classified as immovable may be acquired at a fair valuation.

Water franchises fall into three main divisions: (1) Irrigation; (2) Industrial uses; (3) Appropriation, that is to say, where the water is to be used for either of the two foregoing uses on the property of the applicant.

A water concession granted in 1893 well illustrates this class of grants.

The concessionaire was authorized to build a main irrigation canal, and other subsidiary canals, and to build deposits or reservoirs to collect the torrential waters. Excavation work on the main canal was to be begun four months after approval of the plans by the department of Fomento, and not less than forty kilometers completed within four years. Provision was made for the class of material to be used; for the building of a bridge whenever any of the canals crossed a highway; for the supervision of the work by a government inspector whose compensation was to be borne by the concessionaire; for payment at the regular sched-

ule of rates of all national lands occupied; for condemnation of private lands, subject to due compensation, and under carefully devised rules. The concessionaire enjoyed the free importation privilege for five years, as also the tax exemptions usually accorded in such cases. The rates to be charged for water were to be subject to the approval of the Department of Fomento.

The adoption of the constitution of 1917 made radical changes in the subject of waters. It vests in the nation the ownership of virtually all waters, including even "waters extracted from mines," which by all former legislation had belonged to the owner of the mine. But the most startling innovation appears in the precept that "the enjoyment of waters which pass from one landed property to another shall be considered of public utility, and shall be subject to the provisions prescribed by the states." It is too early yet to determine what will be the effect of this legislation, but one certain result will be to disturb legitimately acquired rights and interests of long standing.

Banking: The constitution of 1857 contained only a general reference to the power of Congress to enact commercial legislation. Accordingly, on December 14, 1883, a constitutional amendment paved the way for the Commercial Code of April 15, 1884, which contained salutary restrictions on banking. The most important was the provision that "for the establishment of banks of any kind, the authorization of the federal government is necessary."

The Commercial Code of 1884 was repealed by that of September 15, 1889. Unfortunately, the wise precepts on banking contained in the old code were omitted from the new, with the result that the same phenomenon that took place in railroads was repeated in banks. Charters were given "right and left for the establishment of local banks in states of the union, without any attempt at uniformity."

This matter continued until Congress on June 3, 1896, authorized the Executive to issue a general banking law. Franchises were to be given subject to certain conditions, of which only the more important are here enumerated: (1) Deposit of bonds of the public debt; (2) Minimum capital stock of 500,000 pesos, of which one-half must be paid up in cash before operations are begun; (3) Note issues never to be greater than three times the paid-up capital stock; (4) Cash balance never to fall below one-half of the value of the notes; (5) Notes to have a voluntary circulation; (6) Only the first bank to be established in any state to enjoy tax exemptions; (7) No new franchise to be given until after the enactment of the new banking law. In addition, the executive was empowered to make equitable arrangements with the Banco Nacional regarding its charter.

Negotiations were soon opened with this institution "with a view to modifying its charter in such terms as to remove all doubt

concerning the legality of the privileges of the local banks already in operation and those which it was purposed to establish." The monopolistic features of the charter were relinquished, in exchange for definite privileges, the chief of which was the extension of fifty years in the life of the charter.

Of the seven banks in operation at that time, five subscribed agreements to surrender the rights conferred on them by their earlier charters, and to accept the new law. These banks were the Banco Minero of Chihuahua, the Banco Yucateco, the Banco Mercantil of Yucatán, the Banco Comercial of Chihuahua, and the Banco de Durango.

The general banking law was passed on March 13, 1897. While it followed the main lines of the law of June 3, 1896, it was, of course, more specific. In the matter of franchises the following points deserve attention. Grantees may be either individuals or corporations; "but such franchises may only be exercised by corporations duly organized according to the laws of the Republic." Such corporations shall comply with the following requirements, among others: (1) Capital stock of not less than 1,000,000 pesos; (2) Capital stock to be fully subscribed, and at least fifty per cent to be paid up in cash; (3) Ten per cent of the net profits to be set apart annually to form a reserve until the amount reaches at least one-third of the capital stock. The life of the charters was limited to thirty years from the date of the law for banks of issue, and to fifty years for mortgage banks and banks of promotion. (Bancos refaccionarios.)

It was expressly stipulated that "franchises shall have no other character than a mere authorization to establish and operate an institution of credit in accordance with the laws which may be in force on the subject."

The system here established has been known in Mexico by the contradictory term "monopolio plural," because of the fact that all banks in order to operate were required to hold franchises from the federal government, but such franchises might be granted for the operation of several banks. Such was the letter of the law; as a matter of fact, Limantour frowned upon attempts to increase the number of banks of issue in any state.

The advantages of the system were two-fold:

- (1) Each state bank would thus be better qualified to pass upon the reliability of local clients;
- (2) The failure of one local bank would not necessarily bring about the failure of other local institutions.

On the other hand it has been urged, not without reason, that the system created a species of banking "cacequismo" by which a small group of men disposed at will of the nation's credit facilities; secondly, that it tended to produce a lack of harmony in the general banking policy of the country. These facts no doubt contributed to the amortization of a large part of the capital of

these local banks and rendered necessary the law of June 19, 1908, which, in a measure, remedied this abuse.

The constitution of 1917 included among state monopolies that of the "issue of bills by a single banking institution to be controlled by the federal government." Thus far this power has not been exercised.

Conclusions: The history of concessions in Mexico shows that the grant of these privileges was subjected to increasingly rigid regulation, and its exercise to increasingly exacting compliance. The thirty years of the Diaz administration present a record of consistent progress in formulating regulations and in making them effective.

Three charges have been leveled at the system. In the first place, it has been said that the concessions were monopolistic. If we except the early railroad charters, we find only one concession in recent years which really constitutes a monopoly. This was the concession granted to the *Compañía Mexicana de Dinamita y Explosivos*. It is but fair to say that the contract was drafted on the theory of national defense. In the matter of land grants, the acquisition of vast areas, in some cases exceeding ten million acres, is difficult to explain and justify.

The second charge is that of peddling and favoritism. The evidence on this point is necessarily deficient and elusive. That abuses were committed appears well-established. No less an authority than Minister Limantour in his report on the need of more stringent regulation in the matter of franchise-granting said: "For reasons into which we need not enter here, the Government has often been forced to grant franchises to individuals or corporations that proved not to have the necessary cash and credit facilities to carry them into effect. The concessionaire who goes from door to door offering bankers and business men the franchise that has just been granted him is a source of discredit to the business itself, to other undertakings which might in some way be connected with it, and in not a few cases to the government itself." This was, however, the exception, not the rule. The correlative charge of favoritism is more easily proved. An examination of the list of grantees during the Diaz and succeeding administrations will convince any one familiar with the personnel who had either direct or indirect connection with governmental circles that the grants were given largely to persons friendly to the government, and in not a few instances to a small inside coterie.

Lastly, one word is necessary as to the system itself. There is no doubt that the basic feature of a concession—special privilege—is abhorrent to the true democratic doctrine of equal rights and equal opportunities for all. This charge holds good, however, only in a very limited sense to enabling acts, which as we have seen, covered by the end of the Diaz administration practically

every subject. Furthermore, the state as supreme guardian of the interests of all the community has only two courses open to it: (1) A policy of private initiative, subject to the safeguards which the state deems necessary in the execution of the trust; (2) A policy of state socialism. Mexico, in common with other Latin-American countries, and with Anglo-Saxon communities as well, followed the former course down to the enactment of the 1917 constitution. Nor can there be any question as to the success which has resulted wherever there has been strict regulation in the granting of concessions. Indeed, the astounding economic development of Mexico in the two decades between 1890 and 1910 was due principally to the statesmanlike policy of encouraging foreign capital adopted by President Diaz and ably seconded by his Minister of Finance Limantour. This foreign capital, wisely regulated, established and conducted in Mexico vast industrial enterprises—mining, manufacturing, banking, transportation and public and quasi-public utilities of all kinds. It brought in its train not alone material benefits but blessings of a moral order no whit less important. It improved the standard of living; it furnished employment; it showed by force of example the advantages of thrift, industry and enterprise.

The 1917 constitution marks a radical departure from this policy. By its terms only Mexicans, individual or corporate, and foreign individuals who waive their rights to diplomatic protection may secure concessions. Whether the development of Mexico's latent resources under the new system will both keep pace with the unquestioned material progress registered under the other system, and also avoid the minor evils which the former system caused, seems to be at least doubtful. It is certainly a fact that thus far Mexicans have been loath to venture their capital in large operations involving the development of resources. An eminent Mexican economist says on this point: "Our capitalists, lacking the spirit of enterprise, have taken little or no part in the industrial development of the resources of Mexico. They have preferred to invest their savings in mortgages." It is not to be doubted that Mexico has not reached yet the stage of economic progress to justify the severe limitations and even hostility to foreign capital which the 1917 constitution contains.

AGRICULTURE

"Nature has endowed Mexico," says one writer, "with almost unlimited agricultural possibilities. Her resources include extensive and fertile irrigable lands, large areas covered with valuable forests of both hard and soft woods, climatic conditions that permit the raising of a wide variety of vegetable products, and regions adapted to nearly every kind of temperate and tropical fruit." Cereals common to more northern lands are grown on the high plateau of central Mexico. Cotton and tobacco are produced from Lower California to Yucatán. Almost all fruits and vegetables which flourish in the United States are equally well adapted to the Southern Republic. In addition there are numerous products, some of which are among the most valuable of Mexican exports, whose very names are unfamiliar to the average citizen of North America.

Among these products peculiar to Mexican agriculture may be listed henequen, from which comes the binder twine used in Dakota and Kansas wheat fields; chicle, the basic element of chewing gum; guayule, a rubber extracted from one of the semi-desert shrubs; pochote, a vegetable silk; candelilla, a vegetable wax; ixtle, or Tampico fiber, as it is known to commerce; liquors, such as tequila and pulque, derived from the maguey plant and used almost wholly for domestic consumption; coffee, cocoa, sarsaparilla, vanilla, indigo, cochineal, and a score of other tropic or semi-tropic products widely used, but rarely grown, in the United States.

Unfortunately, no adequate data of Mexican crop production have ever been assembled. Two distinct types of farming prevail: the one for individual consumption; the other for commercial marketing. To obtain accurate statistics in the case of the first class is impossible. Even for the second class the figures are notoriously inaccurate and fragmentary. The latest published crop reports are for 1918; but that year, owing to drought, revolutionary conditions, and various other factors, the yield of most products was abnormally low. The present administration is wisely undertaking a new land census, which from almost every angle promises to be the most comprehensive and accurate survey of agricultural conditions ever made in the republic.

For convenience's sake Mexican land products may be divided into five groups, namely, agricultural products, livestock, fruits, vegetables, and woods. In the year 1903, in which the crop yield was normal, these had the following officially estimated values:

	Value in Pesos	Percentage
Agricultural products	273,268,000 (rounded)	73.59
Livestock	75,000,000	20.17
Fruits	6,700,000	1.80
Vegetables	1,588,000	.43
Woods	15,209,000	4.09
Total	371,766,000	100.00

The great staples of Mexican agricultural products are corn, sugar cane, henequen, wheat, maguey liquors, beans of various kinds, cotton, coffee, barley, peppers, tobacco, peas, rice, and cocoa. In addition, there are at least fifty minor products of which only incidental mention is possible.

CEREALS

Corn constitutes the main food supply of the nation and is grown to a greater or less degree in every section of the republic. In importance it outranks every other agricultural product. The chief corn producing states in order named are Jalisco, Guanajuato, San Luis Potosí, Guerrero, Michoacán, and Vera Cruz. Two crops a year are possible in most sections of the country, but the lack of scientific care and unfavorable climatic conditions frequently reduce the yield so far below normal that widespread distress occurs among the poorer classes. Even under the most favorable conditions Mexico is not self-sufficing in her production of foodstuffs. The average yield of corn is less than 100,000,000 bushels a year, or six bushels per capita. At least 155,000,000 bushels are required for domestic needs.

Wheat: The raising of wheat in Mexico is much more localized than the cultivation of corn. The area best adapted to the cereal lies from 6,000 to 9,000 feet above sea-level and comprises some 50,000 square miles of the great central plateau. The chief wheat producing states are Michoacán, Guanajuato, Coahuila, Puebla, Sonora, Mexico, Durango, and Chihuahua. The production of wheat averages less than one-sixth the production of corn and is never sufficient for domestic needs. A considerable quantity is therefore imported each year from the United States. The average yield is below one bushel per capita.

Barley is produced in commercial quantities in ten states, five of which furnish nearly 88 per cent of the entire yield. These are Mexico, Puebla, Hidalgo, Zacatecas, and Michoacán. The average yield is approximately 8,000,000 bushels.

Rice: Morelos, Michoacán, and Puebla are credited with over 70 per cent of the entire rice crop of the republic. Colima, Vera Cruz, Tepic, and Tabasco come next in order named. The cereal is cultivated chiefly on restricted areas of river bottom lands which are subject to flood during certain seasons. The average yield is nearly 30,000 tons.

Oats and **Rye** are grown on a small scale in a few of the central plateau states and in Lower California and Vera Cruz. The combined output, however, is insignificant.

SUGAR CANE

Sugar Cane is grown in all but three states of the republic but the chief production comes from Morelos, Vera Cruz, Sinaloa, Nuevo León, Michoacán, and Puebla. The normal yield of low-land tropical fields is between forty and sixty tons to the acre; at higher elevations, where irrigation is necessary, the average is from twenty-five to fifty tons. The total annual output normally amounts to about 2,000,000 tons.

Sugar: The cane is chiefly used in the manufacture of sugar, molasses, panocha and alcohol. Many of the plantations cover thousands of acres, and are equipped with modern sugar mills having a daily capacity of 250 to 1000 tons. The normal sugar output, most of which goes for domestic consumption, amounts to 90,000 or 100,000 tons.

Panocha, a coarse brown sugar, is seldom exported, but furnishes a staple article of diet for the poorer classes. It is one of the oldest of Mexican agricultural products. The normal production is between 70,000 and 80,000 tons. Syrup and molasses, by-products of the sugar industry, have an annual output of about 70,000 tons.

Cane Alcohol, which together with maguey liquors constitutes over 90 per cent of the alcoholic products of the country, is manufactured on a large scale. In recent years the tendency of the sugar growers has been more and more to convert the cane into alcohol rather than into sugar. Between 20,000,000 and 25,000,000 gallons are produced yearly.

LEGUMES

Haba (broad beans) are produced chiefly in Michoacán, about two-thirds of the total crop coming from that state, with Mexico and Puebla ranking next in order of importance. The annual yield is in the neighborhood of 1,500,000 bushels.

Frijoles, the beans of universal consumption, are grown in every state in the republic. Together with corn they furnish the staple diet of the population. The annual production in round numbers is 5,000,000 bushels, of which Jalisco, Guanajuato, Puebla, Vera Cruz, Zacatecas, San Luis Potosí, Michoacán and Durango furnish over 55 per cent.

Arvejón, or vetch, is grown chiefly in Puebla and Michoacán. The annual yield is about 2,000,000 bushels.

Garbanzos, or chick peas, are grown chiefly along the west coast and in Jalisco, Michoacán and Guanajuato. A large part of the crop, especially that raised in Sinaloa and Sonora, is exported to South America, Spain and Italy. The annual production exceeds 75,000 tons.

COFFEE AND COCOA

Coffee is grown in seventeen or eighteen states of the republic, but its culture centers chiefly in Vera Cruz, Chiapas, Oaxaca, Puebla and San Luis Potosí. Vera Cruz is preeminently the coffee growing state, furnishing over 60 per cent of the total output. Chiapas comes next with something less than 12 per cent. Colima produces a very high grade coffee, but the quantity is small. The plant does best at an elevation of between 1500 and 5000 feet. The annual yield is over 100,000,000 pounds, two-thirds of which is exported to the United States.

Cocoa is grown to a very limited extent in eight states, but over 98 per cent of the crop comes from Tabasco (which furnishes more than 54 per cent of the total), and Chiapas (which produces nearly 45 per cent). The annual yield is about 5,000,000 pounds.

ALCOHOLIC PRODUCTS

The chief alcoholic products, in addition to cane alcohol, of which mention has already been made, are distilled from the maguey plant. The beverages of especial importance are pulque, tequila and mescal, though many minor varieties are manufactured and consumed throughout the republic.

Pulque, the great drink of the common people, is produced over a wide area, but especially in the district surrounding the capital, including the states of Puebla, Michoacán, Mexico, Hidalgo and Tlaxcala.

Tequila, a drink much stronger than pulque, is manufactured chiefly in Tlaxcala, where the town of Tequila gives the beverage its name.

Mescal, another potent drink, is largely manufactured in Jalisco, Nayarit, Sinaloa and Guanajuato. Sonora formerly produced considerable quantities, but the enforcement of prohibition in that state destroyed the business. The total output of maguey liquors amounts to about 200,000,000 gallons annually.

INDUSTRIAL PRODUCTS

Henequen: After corn, henequen constitutes the most valuable single agricultural product of Mexico. It is grown almost exclusively in Yucatán and Campeche, though a small yield is obtained in Quintana Roo, Jalisco, and Chiapas. The plant is a species of Agave (*Agave sisalense*), the leaves of which yield a strong, tough fiber known to commerce as sisal hemp. It is used almost exclusively for binder twine in the harvesting of American and European wheat. The industry constitutes the main economic wealth of Yucatán and Campeche, and until the Carranza régime was almost wholly monopolized by large planters.

In 1915 the government created a Commission for the Regulation of the Henequen Industry (Comisión Reguladora del Mercado de Henequen), which virtually socialized the business and seriously crippled its prosperity. The commission, after a checkered career, finally went into bankruptcy, July 18, 1921. The stagnation of industry in general in 1920-21 also restricted the market; prices fell from twelve and fourteen cents per pound to three and four cents. A heavy increase of export duties and loading charges added an additional burden, so that the henequen growers were reduced to serious financial straits. Of late months the government has sought to afford some measure of relief and a new Comisión Reguladora has been appointed.

Ixtle, or Tampico Fibre, comes chiefly from Coahuila, San Luis Potosí, Nuevo León and Tamaulipas. It grows in dry, sandy soil without irrigation. The annual yield varies greatly, ranging from 15,000 to 40,000 tons. Other fiber plants, besides henequen and ixtle, are also to be found in various states.

Cotton: Of the non-food products cotton ranks next to henequen in value and in recent years has sometimes surpassed it. The Laguna district, lying in the three states of Coahuila, Durango and Chihuahua, has for many years been the chief producing center. Much of the Laguna cotton finds a market in the textile mills of Orizaba and other Mexican manufacturing centers, while the seed supplies local glycerine and soap factories with oil. Of recent years, the territory tributary to Mexicali in Lower California, has risen rapidly in importance as a cotton producing section and now rivals the Laguna district. Its output, in contrast to that of the latter region, is practically all exported to the United States, either for American consumption or shipment abroad. The yield of this district in 1920 was nearly 59,000 bales; in 1921 it was over 87,000.

Cotton is also grown in considerable quantities along the Fuerte, Mayo, and Yaqui rivers of the west coast, and in Guerrero, Oaxaca, Nayarit, Chiapas, Vera Cruz and Tamaulipas. In many sections, notably the Laguna district, the pink boll weevil has proved a serious menace. •

Rubber: The ordinary rubber of commerce is produced almost entirely in the states of Tabasco, Vera Cruz and Chiapas. It does not rank as one of the major products, the annual output totaling less than one hundred and fifty tons.

Guayule: This shrub grows over large areas of the arid portions of northern Mexico, especially in southern Coahuila, Durango, Zacatecas and Chihuahua. Its commercial possibilities were not realized until early in the nineteenth century; since that time its value has rapidly increased. It has not yet been artificially propagated on a large scale, though experiments along

this line are now being undertaken to some extent in Mexico and on a much more elaborate scale by the Continental Rubber Co. in Southern Arizona. In its wild state guayule grows so slowly that the relatively few years of exploitation have seriously diminished the supply. The center of the industry is at Torreon. Before the Carranza revolution, production ran from 7,000,000 to 9,000,000 pounds annually, but the disturbed condition of the country after 1915 caused almost complete stagnation of the industry. Of late years the business has once more revived.

Tobacco is grown largely in Vera Cruz, Oaxaca, Nayarit, Hidalgo, and Jalisco. Considerable quantities are also produced in Guanajuato, Michoacán, Chiapas, Puebla, Sinaloa and perhaps half a dozen other states. Most of the crop is manufactured into cigarettes, but the export of leaf to Europe is not inconsiderable. The normal yield is between 13,000 and 15,000 tons.

Chicle, the basis for the chewing gum manufactured in the United States, comes chiefly from Campeche, Vera Cruz, Tabasco and Quintana Roo. In 1920 the price ran as high as seventy cents per pound, but afterwards fell to less than twenty-five cents.

Vanilla of a superior quality is grown in Puebla and Vera Cruz. The annual production is roughly estimated at two hundred tons.

Indigo is produced chiefly by the four states of Chiapas, Jalisco, Oaxaca and Michoacán.

VEGETABLES

Green and Dried Peppers constitute one of the major crops of Mexico and are used as a seasoning in almost every dish that goes on the Mexican table. They are produced in every state of the federation, but especially in Puebla, Durango, Guanajuato and Hidalgo. The annual yield is about 66,000 tons of green chili and 10,000 tons of dry.

Irish and Sweet Potatoes are produced in many sections, the latter in larger quantity than the former. The yield of Irish potatoes is roughly 22,000 tons; and of sweet potatoes about 25,000 tons.

Tomatoes are grown in many states, but of late years the west coast has become preeminently the tomato growing section of the country. Here the crop begins to ripen in December and most of it is shipped to the United States for winter consumption. From January to May, 1921, nearly 21,500,000 pounds were exported from the state of Sinaloa alone for the American market. The net profit to the grower was about three cents a pound.

Onions are raised in virtually every section of the republic and enter largely into the Mexican diet. They constitute one of the most important food crops, but no satisfactory figures of yearly production are available.

FRUITS

Although the climatic conditions make possible the production of a great variety of fruits, the lack of initiative and proper cultivation have so restricted this important branch of agriculture that the annual yield of fruits equals less than 2 per cent of the total value of Mexican land products. The chief commercial fruits, in order named, are oranges, watermelons, bananas, apples, peaches and cantaloupes. Next follow avocados (alligator pears), tunas (cactus fruit), mangoes, grapes, strawberries, limes, guavas, figs, coconuts, quinces, lemons, pears, chirimoyas, walnuts, pineapples, and a wide variety of native fruits rarely seen in American markets. Statistics relating to the production of fruits are wholly unreliable, but as late as 1903 the valuation of the crops was officially given as 6,700,000 pesos. Compared to the country's potential possibilities as a fruit growing nation, these figures are trivial. In no field does Mexico hold out greater promise of returns to the application of energy and science than in the raising of fruit. This, however, like nearly every other attractive possibility, is contingent upon the long continued maintenance of peace.

TABLE I

COMPARATIVE TABLE OF AGRICULTURAL PRODUCTION

(In thousands of Kilograms)

	1878	1903	Annual Average Production 1906-1910	1918
Beans.....	210,000	158,000	163,000	107,000
Coffee.....	8,000	29,000	36,000	47,000
Corn.....	5,310,000	2,312,000	3,220,000	1,930,000
Cotton.....	25,000	36,000	40,000	79,000
Garbanzos.....	11,000	31,000	60,000	69,000
Henequen.....	40,000	135,000	84,000	158,000
Rice.....	15,000	22,000	31,000	18,000
Sugar.....	70,000	100,000	106,000	66,000
Tobacco.....	7,000	13,000	14,000	13,000
Wheat.....	339,000	286,000	307,000	284,000

MISCELLANEOUS PRODUCTS—Among the minor products of Mexican agriculture may be mentioned honey, sarsaparilla, jalapa root, castor beans, peanuts, mesquite gum, yucca root, and rape seed. Space does not permit further discussion of these items.

TABLE II
DISTRIBUTION OF AGRICULTURAL PRODUCTS

State	Percentage of Total Value Agricultural Products	Percentage Value of Food Products	Percentage Value Non- Alcoholic Non-Food Products	Percentage Value Alcoholics	Percentage of Population	Percentage of Area of Mexico
Vera Cruz.....	12.44	15.22	4.36	10.98	7.47	3.82
Yucatan.....	11.42	.76	50.93	.79	2.24	2.88
Puebla.....	7.78	10.73	.13	4.00	7.27	1.59
Jalisco.....	7.23	7.29	.30	21.01	7.97	4.36
Mexico.....	6.03	6.09	.006	17.96	6.53	1.16
Michoacan.....	5.44	7.33	.37	3.37	6.54	2.95
Guanajuato.....	5.19	7.23	.09	2.22	7.14	1.43
Campeche.....	4.57	.26	20.46	.43	.57	2.36
Morelos.....	4.41	5.84	.003	4.02	1.18	.36
San Luis Potosi.....	4.23	5.11	2.51	1.90	4.14	3.13
Coahuila.....	4.01	2.63	9.92	1.06	2.39	8.30
Hidalgo.....	3.36	2.85	.72	12.18	4.26	1.12
Durango.....	2.76	2.97	2.33	.36	3.19	5.51
Guerrero.....	2.57	3.44	.64	.80	3.92	3.26
Chiapas.....	2.42	3.07	.86	1.31	2.89	3.55
Tlaxcala.....	2.14	1.24	..	12.44	1.21	.21
Oaxaca.....	1.97	2.21	1.60	1.09	6.86	4.61
Queretaro.....	1.87	2.70	.01	.20	1.61	.58
Zacatecas.....	1.78	2.54	.05	.34	3.15	3.19
Nuevo Leon.....	1.64	2.17	.20	.41	2.41	3.09
Chihuahua.....	1.15	1.59	.26	.14	2.68	11.72
Tabasco.....	1.09	1.13	.53	1.15	1.24	1.31
Sinaloa.....	.89	1.14	.17	.67	2.00	3.59
Tepic.....	.86	1.04	.51	.43	1.13	1.42
Tamaulipas.....	.67	.71	.89	.24	1.65	4.20
Aguas Calientes.....	.57	.83	..	.01	.80	.38
Sonora.....	.46	.64	.09	..	1.75	9.98
Colima.....	.36	.52	.01	.04	.51	.29
Federal District.....	.29	.34	.0001	.50	4.75	.07
Baja California.....	.23	.30	.006	.14	.35	7.60
Quintana Roo.....	.17	.003	.78	..	.06	1.71

LIVE STOCK

Since colonial days the production of live stock has been one of Mexico's characteristic industries. In the northern states, especially, where lack of rainfall restricts the production of crops, cattle raising constitutes the chief agricultural pursuit. Even in other sections of the republic where climatic conditions permit more extensive cultivation, the great areas of non-cultivable land are used for grazing purposes.

But little attention was formerly given to improving the breed or fattening stock for market. Indeed, the chief value of range cattle lay more in the hides, horns, bones and tallow they pro-

duced than in the meat. Some improvement in this condition, however, was being made prior to the Carranza revolution. A number of American companies had purchased properties in Mexico (in Chihuahua, Durango and Sonora chiefly) and had begun the production of cattle for the American markets. Through their efforts and the cooperation of more enlightened Mexican owners, thoroughbred stock were being introduced to improve the meat producing qualities of the native range animals.

The ten years of revolution after Diaz left the cattle industry in a demoralized state. Troops and bandits alike relied very largely upon the cattle ranges to keep them supplied with food. To save their stock from this fate, many owners shipped as large a part of their herds as possible to the United States. Thus, between confiscation and export the Mexican supply of live stock was left sadly depleted. Some attempt has been made to remedy the situation since Obregón became president by importing animals from the United States. But even at best, it will be many years before the Mexican ranges are restocked to capacity and the effects of the revolution wiped out.

The best pasture lands of Mexico are located on the Gulf Coast in the region tributary to the Tamesi and Pánuco rivers, embracing parts of the states of San Luis Potosí, Vera Cruz and Tamaulipas. The southern central plateau states also possess excellent grazing lands; and where water can be obtained during the dry season, the west coast states support large herds. In the north of Mexico, particularly, owing to the scarcity of watering places and the scanty vegetation, the ranges must be of large size. The value of much of this land, however, does not exceed a few cents an acre.

Sheep are raised chiefly in Zacatecas, San Luis Potosí, Durango, Puebla and Coahuila. Little attention is paid to breeding, and the native animal is of poor quality, yielding on an average only a pound and a half of wool.

Goats are widely raised and their flesh constitutes an important item in the national diet. Oaxaca, in which single ranches are said to produce 30,000 head, has the largest annual production of any of the states.

Hogs of an inferior quality are raised in the northern states, particularly in Tamaulipas. The industry is extremely localized.

Horses, mules and asses are raised throughout the republic. Little attention is paid to dairy cattle, except in one or two localities, chiefly around the capital. In the production of all kinds of live stock, Mexico falls far short of her potential abilities. With due attention to proper breeding and scientific care, the value of her range products might be multiplied "thirty, sixty, or a hundred fold."

The following table shows the relative number of live stock, their estimated value in 1902, and the average cost per head:

TABLE III
LIVE STOCK VALUES

Kind	Number (Rounded)	Value (Pesos)	Value per Head
Cattle.....	5,300,000	84,251,000	15.90
Sheep.....	3,458,000	6,096,000	1.75
Goats.....	4,240,000	7,303,000	1.75
Hogs.....	641,000	2,195,000	3.45
Horses.....	873,000	10,998,000	12.85
Mules.....	340,000	10,742,000	34.55
Asses.....	300,000	2,470,000	8.25
Total.....	15,152,000	124,055,000	

The relative importance of the various states as producers of live stock and the areas of grazing land, are shown in the appended table. The figures are for the years 1902 and 1903.

TABLE IV
LIVE STOCK DISTRIBUTION

State	Pesos Value of Live stock	Hectares of Grazing Land	Percentage Distribution of Live stock Value	Percentage Distribution of Grazing Land
Mexican Republic.....	124,055,801	48,762,849	100.00	100.00
Jalisco.....	13,333,922	1,447,257	10.75	2.97
Chihuahua.....	9,215,465	5,196,481	7.51	10.66
Guanajuato.....	8,840,537	703,422	7.13	1.44
Michoacan.....	8,584,954	764,673	6.92	1.57
Vera Cruz.....	8,239,375	No data	6.64	No data
Durango.....	7,573,741	8,985,936	6.10	18.44
Zacatecas.....	6,324,289	3,340,607	5.09	6.86
Yucatán.....	6,075,239	385,750	4.89	.79
San Luis Potosi.....	4,786,411	1,891,584	3.86	3.88
Puebla.....	4,309,904	613,163	3.47	1.26
Sonora.....	4,212,861	1,707,493	3.40	3.50
Coahuila.....	4,124,472	6,147,553	3.32	12.62
Tamaulipas.....	3,981,152	2,986,195	3.21	6.13
Mexico.....	3,583,365	311,801	2.89	.64
Nuevo Leon.....	3,393,625	1,505,968	2.74	3.09
Chiapas.....	3,310,807	868,437	2.67	1.78
Guerrero.....	2,853,608	1,583,358	2.30	3.25
Tabasco.....	2,838,422	133,105	2.29	.27
Tepic.....	2,356,696	243,613	1.90	.50
Aguascalientes.....	2,302,490	91,841	1.85	.19
Oaxaca.....	1,786,439	769,711	1.44	1.58
Queretaro.....	1,705,097	91,292	1.37	.18
Morelos.....	1,526,045	281,116	1.23	.57
Sinaloa.....	1,330,078	1,209,733	1.07	2.48
Campeche.....	1,225,334	456,860	.99	.93
Hidalgo.....	1,136,536	299,715	.91	.61
Distrito Federal.....	1,137,297	15,526	.91	.34
Baja California.....	1,042,121	6,597,199	.84	13.54
Colima.....	987,048	133,400	.79	.27
Tlaxcala.....	974,471	.....	.79	.....
Quintana Roo.....	.....	.....	.....	.....

FORESTS

The forests of Mexico cover an undetermined area of between forty-three and sixty-five million acres. At least sixty-eight native woods at present have a market value, and more than a hundred others await commercial development. Mahogany is the most valuable of the hard woods and is exported chiefly in the form of logs to the United States. Various native trees resembling walnut, a number of light-colored woods used for interior finishing, giant cypress, rosewood, red cedar, balsa (sometimes employed as a substitute for cork) and dye woods are also important items of export.

Pine of various kinds, oak, and mesquite enter chiefly into domestic trade. The first is used extensively in mines, for railroad bridges, and other construction work. Mesquite wood is valuable chiefly for fuel. Indeed, the scarcity of coal makes necessary the widespread use of wood and charcoal, not only for domestic fuel but also for industrial purposes as well.

Hardwoods are found chiefly in the southern states bordering the Gulf, and in certain sections of the west coast. Pine abounds in Chihuahua, Durango and other of the northern interior states. Modern mills have been erected in many of the timbered areas, and one of these, the Pearson plant in western Chihuahua, has a daily capacity of over 1,000,000 feet. In certain sections the use of timber for mines and fuel, extending over three centuries, has brought about serious deforestation.

Like most of Mexico's natural wealth, her great forest resources are for the most part still undeveloped. Lack of transportation, banditry, and disturbed political conditions have so discouraged large scale operations that at least one-half of the lumber used in the republic is still imported.* If these adverse factors could be removed, the lumber industry would prove one of Mexico's most important and profitable industries.

*Mexican exports of logs and lumber to the United States in 1919 were valued at about \$950,000. Exports of mahogany constituted over \$700,000 of this amount.

TABLE V
DISTRIBUTION OF TIMBER LANDS

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State	Hectares of Timber Land	Percentage of Timber Land
Mexican Republic.....	17,786,715	100.00
Michoacan.....	893,201	5.02
Durango.....	No data	No data
Sonora.....	493,144	2.77
Mexico.....	489,062	2.75
Puebla.....	634,781	3.57
Jalisco.....	1,708,344	9.61
San Luis Potosi.....	529,105	2.98
Coahuila.....	931,202	5.23
Guanajuato.....	246,711	1.39
Hidalgo.....	185,841	1.04
Chihuahua.....	511,571	2.87
Tlaxcala.....	No data	
Nuevo Leon.....	666,757	3.75
Sinaloa.....	766,002	4.31
Oaxaca.....	99,215	.56
Quintana Roo.....	(Included in Yucatan)	
Tabasco.....	2,138,769	12.02
Zacatecas.....	1,989,798	11.18
Guerrero.....	2,293,335	12.89
Tepic.....	243,745	1.37
Tamaulipas.....	1,043,398	5.86
Queretaro.....	6,111	.03
Colima.....	85,293	.48
Baja California.....	185,300	1.04
Morelos.....	14,728	.08
Yucatan.....	145,503	.82
Aguascalientes.....	44,587	.25
Distrito Federal.....	10,039	.05
Chiapas.....	1,010,478	5.68
Vera Cruz.....	No data	
Campeche.....	419,695	2.36

HINDRANCES TO AGRICULTURAL PROGRESS

In agriculture, as in almost everything else, Mexico is a land of extremes. The marvelous fertility of certain favored localities and the wide variety of products which climatic and soil conditions make possible, are offset by such adverse factors that the country is far from self-sufficing, and the population suffers constantly from an insufficiency of food. These unfavorable factors spring partly from natural conditions and are partly due to the character of the Mexican people and the lack of national progress.

Rainfall: The two most serious natural drawbacks are those of topography and rainfall. The mountainous character of the country renders a very large percentage of the land permanently unfit for cultivation, even should the most advanced methods of agriculture be adopted. The problem of rainfall is even more serious. North of the 22nd parallel, except in the higher moun-

tains where agriculture cannot be carried on extensively, the average precipitation is less than twenty inches a year. Indeed more than half of this vast area, which embraces 420,000 square miles, or over 53 per cent of all Mexico, receives less than ten inches annually—an amount wholly insufficient without well developed irrigation facilities to make farming a success.

South of the 22nd parallel the rainfall is much more abundant. On the Pacific Coast, a belt stretching from Sinaloa to Chiapas, containing about 80,000 square miles, receives from twenty to fifty inches annually. On the Isthmus of Tehuantepec some 50,000 square miles, including parts of Yucatán, Campeche and Quintana Roo, receive from thirty to fifty inches. Lying close to this zone there is a humid tropical region of about 90,000 square miles where the rainfall runs from forty-five to nearly two hundred inches. This includes Tabasco, the larger part of Chiapas, Campeche, Quintana Roo and Vera Cruz. The rest of the country, including the southern central plateau and parts of the Gulf and Pacific lowlands, receives from twenty to sixty inches.

Irrigation: The figures of precipitation, however, do not tell the entire story. With the exception of the 90,000 square miles of humid tropical lands, no part of Mexico enjoys a rainfall sufficiently uniform and evenly enough distributed throughout the year to allow irrigation to be dispensed with for maximum crop production. Except along the river bottoms where seasonal floods can be counted upon with a fair degree of regularity to supply the necessary moisture, irrigation must be relied upon almost entirely in Lower California, Sonora, Chihuahua, Durango, Zacatecas, Coahuila, Nuevo León, San Luis Potosí, Guanajuato, Querétaro, Sinaloa, most of Oaxaca, and Guerrero. In the more southern states irrigation is not so vital a necessity; but even here, where in places the average rainfall is as high as fifty inches, prolonged dry spells, followed by terrific storms, are likely to cause crop failures unless water can be supplied by artificial means.

The uncertainty of the beginning and duration of the rainy season is another difficulty where farming is carried on without irrigation. Crops which cannot be planted until the wet season has begun, are often so late in maturing that they are ruined by frost before ready for harvesting.

For these reasons the advance of Mexican agriculture must depend first of all upon the widespread development of irrigation. But the nature of the climate, topography, and soil conditions makes irrigation on a large scale conditional upon the construction of huge storage reservoirs and the building of thousands of miles of canals and distributing systems. In all but the tropical regions of Mexico the flow of streams, which must be counted upon to supply water for irrigation, is exceedingly

variable. Most of the year many of them are dry, but during the rainy season these same streams become raging torrents.

To conserve the run-off of such streams for irrigation during the eight or ten months of low water presents a problem too great for Mexican initiative and Mexican capital to solve. In the valley of the Nazas river, for example, where irrigation has made one of the most fertile regions of northern Mexico, the lack of proper storage dams brought double misfortune upon the cotton growers in 1920-21. A prolonged drought, followed by a disastrous flood, caused such heavy losses to the ranchers of that section that many of them threatened to leave the valley unless the government took steps to provide dams and storage reservoirs against a repetition of the catastrophe.

At various times the Mexican government has proposed to lend assistance to companies or individuals engaged in some particular irrigation project. In 1908, the Caja Préstamos para Obras de Irrigación y Fomento de Agricultura was established to supply funds for such undertakings. Madero increased the capital of this institution and announced his intention of beginning a number of important irrigation projects during his brief term of office. Similarly, Obregón has made the development of irrigation under national supervision an especial object of his administration.

One of the chief difficulties so far met with in carrying out such a program, however, has been the lack of capital; nor is it likely that Mexico will be able to build irrigation works on a large scale without foreign assistance. Several outside companies have already undertaken to put large areas of land under irrigation, either as the primary purpose of their concessions (generally dating back to the Díaz régime), or in connection with the construction of dams and reservoirs for hydro-electric development. The North Mexican Power Company, which has constructed large power plants on the Conchas river in Chihuahua and holds a concession for the irrigation of several thousand acres of land lying tributary to its storage reservoirs, furnishes an excellent example of this dual type of company.

On the other hand, the Richardson Construction Company, which received a concession from President Díaz for the irrigation of 750,000 acres of land in the Yaqui Valley of Sonora, represents the type of company in which electric development is subordinate to a program of irrigation. The history of this company, owing to Indian troubles, revolutionary disturbances and difficulties with the state and federal governments over taxes, land titles, and water rights, has been most unfortunate. The company has already spent some millions of dollars, built over 300 miles of canals, established an experiment station and a demonstration farm of 2000 acres, opened and maintained 450 miles of roads, and furnished irrigation service for most of the culti-

vated land in the valley during ten years of revolution, in the face of an ever-increasing deficit. Its plans call for the ultimate construction of a reservoir to hold 1,840,000 acre feet of water and the expenditure of between \$10,000,000 and \$12,000,000. Nearly a million acres of hitherto untilled land will become as productive as any section of Mexico if these plans are carried out. The success of the enterprise, however, is contingent upon long continued peace and a permanent adjustment of the company's difficulties with the government.

One of the most successful irrigation projects, but one equally distinguished for its unique good fortune, is to be found in the northern district of Lower California. Here, thanks to the construction by American capital of the Imperial Valley canal, which runs part of the way through Mexican territory, some 200,000 acres of Mexican lands, formerly desert or overflow river bottom, receive 50 per cent of the water carried by the canal and the region has become one of the two chief cotton sections in the republic.

Despite the irrigation projects which have been mentioned, and a few other successful enterprises that might be added, the fact remains that Mexican agriculture still depends almost entirely upon the primitive irrigation methods practiced by native farmers, or upon a variable and disappointing rainfall, or in the case of favorably located bottom lands, upon uncertain seasonal floods for its success.

Other Hindrances: Another retarding influence is the native method of farming. The typical Mexican small farmer still plows with a crooked stick or a one-handled plow drawn by oxen. A piece of brush serves as a cultivator, if indeed any attempt at cultivation is made. The grain crops "are harvested with sickles, threshed on a smooth earth or stone floor, either by flails or the tramp of livestock, and winnowed by the wind." Even the large hacendados were formerly not much more progressive, in many sections, than the small peon farmer. Of late years, however, there has been some improvement in this regard, and the use of modern farm machinery—harvesters, mowers, tractors, and the like—is becoming somewhat more common. The government has also sought to advance agriculture by the establishment of experiment stations and agricultural schools, and by the sale of agricultural machinery at cost to the farmers.

While official encouragement has thus been given—or at least announced—the repressive measures of the government have seriously retarded the industry. The practice of changing export and import duties by presidential decree has not tended in times past to create a spirit of confidence among Mexican farmers.¹ Taxes and official graft in innumerable forms have also discour-

¹ For instance, a decree of June 7, 1921, prohibited the export of rice, oats, cocoa, rye, beans, and various other farm products because of a shortage of these commodities in Mexico.

aged investment. More than all else, revolution and banditry, with the inevitable destruction and seizure of crops, the confiscation of cattle, and the disruption of freight service, have worked a long continued hardship upon the agricultural industry.

Lack of markets and a proper marketing system and the inadequacy of transportation have also served as deterrent factors of the first magnitude. With it all, there is the peculiar psychology of the great mass of Mexican farmers who are content to raise only enough for their own limited needs, finding no incentive in the profit to be derived from more intelligent care and harder work. Coupled with this has been the attitude of the larger landholders, or hacendados, who cultivated only limited areas of their vast holdings and refused to dispose of the remainder.

The effect of these adverse influences—lack of rainfall, scarcity of capital, political hindrances, inadequate transportation and markets, primitive and unscientific methods of agriculture, and the Mexican temperament—has aptly been summed up by Dr. T. M. Macklin in his report to the Doheny Foundation, as follows:

“Mexico embraces 490,838,647 acres. The total area under cultivation is 30,039,618 acres, or 6.12 per cent. Lands cultivated under rainfall conditions amount to 26,207,000 acres or 5.33 per cent. Lands farmed under irrigation comprise 3,832,471 acres or .79 per cent. Pastoral lands include 120,493,000 acres or 24.54 per cent of the total area. Forest lands equal 43,950,973 acres or 8.95 per cent. Of the remaining area perhaps 25 per cent can ultimately be cultivated under improved methods of dry farming and by the construction of irrigation works.

“From the figures available, it appears probable that not one-third of the best rainfall lands of Mexico are now utilized for cultivation and that not over one-twelfth of the irrigable area is now under irrigated farming. Virtually none of the 200,000,000 acres of land suitable for dry farming are utilized. When one considers the primitive character of the methods used in farming over the greater part of Mexico, it is not an exaggeration to conclude that from the standpoint of land resources Mexican agriculture has not developed 10 per cent of its possibilities.”

Under conditions of peace and with sympathetic cooperation between the foreigner and the Mexican government, the development of these latent agricultural resources offers a field of infinite possibilities to the American pioneer, whether capitalist or colonist.

LAND TITLES

The following extract on Farming in Mexico by William F. Vail, Director of Service of the American Chamber of Commerce of Mexico, in the journal of that organization for April, 1921, gives an excellent summary of the question of land titles in Mexico:

“Titles are as safe in Mexico as in the United States, if they are safe. That is, there are good and bad titles here as elsewhere and ordinary prudence and legal advice is necessary in making a real estate transaction.

Transfers are made under the old Spanish notarial system, slow, tedious and voluminous at times, but very exacting and safe. If the consideration is over fifty dollars, the deed must be executed in Spanish before a notary, who signs the same with two witnesses together with the grantor and grantee. All deeds must be recorded with the Public Registry of the district and state wherein the lands is located. Parties unable to appear in person before the notary may give a special power of attorney and the true consideration must be stated. The notary may not proceed with the execution of a deed until he has searched the records for twenty years. If the buyer is disposed to pay the costs he may cause the registries to be searched back to the primordial titles. Briefly, anyone getting a bad title in Mexico has himself to blame.

"Lands can be had from the Mexican government, but as a rule better lands and cheaper can be had from private owners. The government lands have been picked over for generations and even centuries and any good agricultural lands left in the hands of the government might be considered an oversight. Any reputable attorney can advise the procedure for securing government lands."

AUTHORITIES CONSULTED

The material used in the preparation of this report came largely from the files of the Doheny Foundation. The Report of Dr. T. M. Macklin was especially useful and from it came many of the tables here reproduced.

MINING

I. COLONIAL PERIOD

Place of the Industry: During the three hundred years of Spanish rule, the economic life of Mexico centered around the mining industry. Silver deposits were first discovered at Tasco, in what is now the state of Guerrero, in the year 1525. From that time forward the production of silver, with a slight development of gold placers, became the chief business of the Spanish conquerors. The latter, indeed, were indefatigable miners as well as soldiers, so that the history of the conquest became largely a history of the discovery and exploitation of mineral deposits.

When a new district was opened, a great rush took place similar to the Klondike and Goldfield stampedes of our own time; and where the deposits justified, thriving and permanent settlements were established, many of which to this day are still the chief centers of mining activity throughout the country. Indeed, one can scarcely find a city of any significance in Mexico, outside of the capital and a few seacoast ports, that was not founded as the result of a mining boom, perhaps three or four centuries ago, and that does not owe its continuance to the same inexhaustible ore deposits which gave it birth. Such was the origin of Zacatecas, Pachuca, San Luis Potosí, Parral, Chihuahua, Nuevo León, Monterrey, and of a score of other cities that occupy the chief place in modern Mexican life.

But the mineral wealth of New Spain not only served to stimulate exploration and settlement; it also supplied the incentive for nearly all other forms of colonial activity. The crown, by various forms of taxes, derived the larger share of its Mexican revenue from the industry. The ranchers and hacendados relied largely upon the mining communities to furnish a market for their products. The church depended upon tithes and contributions from those engaged in the industry for the erection of its finest cathedrals and for many special endowments. Merchants, both in Spain and Mexico, looked to the mines as the chief outlet for goods and supplies. A very large share of the country's laboring population found employment in the industry, either in the varied activities of the mines proper or in the reduction works. The mine proprietors constituted the wealthiest class of colonial times and from among them the king created a number of Mexico's most distinguished families.

Mining Code: Because of the importance of the industry and the revenue derived from it directly or indirectly by the crown, an elaborate and in many respects very admirable code of laws regulated its affairs to the most minute detail. This code, which

The substance of certain portions of this article have been published in various numbers of the Mining and Scientific Press, San Francisco, California.

in fact furnishes the basis of Mexican mining law today, consisted in colonial times of five parts, as follows:

1. The mining ordinances in effect in Spain prior to 1584.
2. The Code of Philip II, promulgated in the colonies in 1584.
3. Royal decrees of various dates, generally dealing with specific and sometimes purely local matters.
4. Regulations of individual colonies or provinces.
5. The systematized and scholarly body of laws issued by Charles III in 1783, commonly called the New Code.

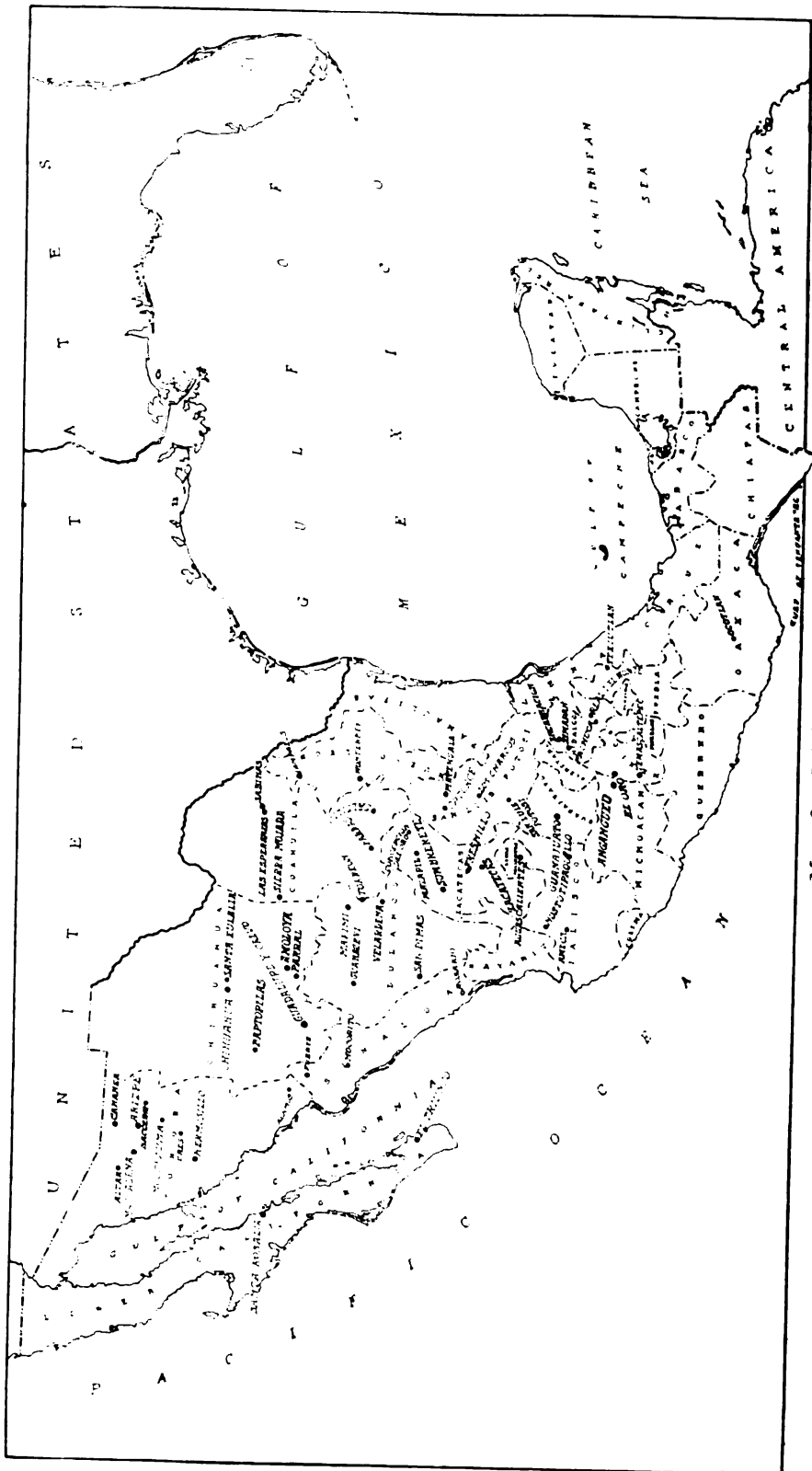
Under the code of 1584, and in all the laws thereafter, deposits of gold or silver, whether located in public or private ground, were declared the property of the crown and thrown open to public denouncement. Anyone, accordingly, could prospect public or private land, "without any hindrance or interruption from the owners....or from any other person whomsoever," subject only to the obligation of paying for such damage as his prospecting, or "trial pits," might cause. The process of denouncement was hedged about with certain technicalities which need not detain us here; but it is interesting to note that, under colonial law, a concession to the claim was not issued until the denouncer had sunk a shaft three *estados*, or approximately twenty feet, in depth. If this were not done within three months, the concession was forfeited and the claim again thrown open to denouncement.

An official inspection had to be made when the shaft was finished. At the conclusion of this examination the inspector stood at the mouth of the shaft and called three times for prior claimants to appear and prove their rights to the property. If none came, the proceedings were closed by throwing a handful of grass or a few stones into the open pit.

The unit of mining concessions was the *pertenencia*. It was rectangular in shape and varied in size under the different colonial codes. At all times, however, it was considered indivisible; and as its planes ran vertically, the boundaries of a claim, both above and below ground, were definitely fixed.

The law also contained very specific regulations to prevent the careless or reckless working of mines, and sought especially to minimize damage from flood or caving by detailed provisions for timbering, supporting pillars, and unwatering. It is scarcely to be inferred, however, that these elaborate precautions were always zealously or intelligently enforced by the officials charged with mine inspection.

Another interesting feature of colonial law, which has been abandoned and readopted with modifications more than once in later-day Mexican history, was the requirement that all claims must be worked or else became forfeited to the crown. The code of Philip II provided that four men, at least, must be kept employed on each *pertenencia* and that failure to comply with this requirement for a period of four successive months destroyed



MINERAL DISTRIBUTION

(See Map 2.)

Aguascalientes—gold, silver, lead, tin, miscel.
 Baja California—gold, copper.
 Campeche—none.
 Chiapas—none.
 Chihuahua—gold, silver, copper, lead.
 Coahuila—lead, silver, zinc, coal.
 Colima—undeveloped.
 Durango—gold, silver, lead, iron, copper, tin.
 Guanajuato—gold, silver, lead, copper, tin, bismuth, mercury.
 Guerrero—silver, copper (slightly developed).
 Hidalgo—gold, silver, copper, antimony.
 Jalisco—gold, copper, silver.
 Mexico—gold, silver.
 Michoacán—silver, copper.
 Morelos—undeveloped.
 Nayarit—gold, silver, copper (slightly developed).
 Nuevo León—gold, copper, silver, lead.
 Oaxaca—gold, silver, copper (slightly developed).
 Puebla—copper.
 Querétaro—silver, gold, antimony, mercury (slightly developed).
 Quintana Roo—none.
 San Luis Potosí—gold, silver, copper, lead, zinc, quicksilver, sulphur.
 Sinaloa—gold, silver, copper.
 Sonora—gold, silver, copper.
 Tabasco—none.
 Tamaulipas—zinc, lead.
 Tlaxcala—unimportant.
 Vera Cruz—undeveloped.
 Yucatán—none.

all rights of ownership and again threw the property open to denouncement. Only war, pestilence or famine, occurring within twenty leagues of the mine, could be offered as an adequate reason for escaping the penalty.

In all these laws, the purpose of the Spanish sovereign was to develop the mineral resources of Mexico through individual initiative and at the same time to protect the ore deposits from reckless or careless exploitation. Besides allowing the widest freedom for denouncement, various other privileges were held out to stimulate the industry. Proprietors were granted the use of forests and water to carry on their operations, and were permitted to expropriate either public or private land for mine or reduction works.

Obstacles and Difficulties: But the lot of the Mexican mine owner was not always a happy one, even with the royal favor behind him. Taxes, both direct and indirect, were many and burdensome; and too frequently, in his desperate need for funds, the crown imposed such heavy levies that the mines fell into decay and the exports of silver greatly decreased. The most important of the direct taxes was the royal fifth, or "quinto," a 20 per cent royalty levied upon gross output. The fifth was

afterwards reduced to a tenth; but in addition there were assay fees and coinage dues which easily brought the total in direct taxes to something over 16 per cent of the gross production. Under the law, gold and silver bullion could not be used in trade until coined at the mint in Mexico City, but this regulation was impossible of enforcement, and in the northern districts, especially, unstamped silver was the chief medium of exchange. The use of this, however, was carried on at a serious loss to the miners, since goods given in exchange for bullion commanded double price, and a marc of silver, worth eight dollars at the mint, brought only four dollars and a half in Chihuahua or Sonora. Indirect taxes in the form of import duties on supplies, and the royal monopoly on gunpowder and quicksilver were a more serious handicap than the direct levies. So that all told, the colonial miner paid pretty heavily to his sovereign for the privilege of doing business.

Another very serious difficulty that retarded colonial mining was the lack of capital necessary to finance the industry in a manner at all commensurate with its needs and opportunities. The joint stock company, which played such a vital part in England's commercial and industrial expansion during the sixteenth, seventeenth and eighteenth centuries, was not known in Mexico. Partnerships were common enough, and a form of lease known as the "avio" to some degree met the needs of cooperation. Under Charles III, also, a Mining Bank, supported by a percentage of the coinage dues, was established to finance mining ventures. But while this proved a real benefit for a number of years, it came to an end with the outbreak of the French wars in Europe, when its funds were sequestrated by the Spanish government and so lost forever to the mining business.

The commonest method of obtaining operating capital in colonial days was a sort of tripartite affair, in which mine proprietor, ore buyer or rescator, and wealthy merchant took part. The rescator, securing an advance of funds from the merchant, supplied the miner with capital by buying the ore at the mine's mouth. He then reduced the ore and sold the silver to the merchant in whose debt he stood, at a price much below the market. Under such an arrangement operating mines could obtain funds to meet current needs, but the interest rates were oppressive, and the supply of capital too limited for large scale operations.

Colonial Labor: Other difficulties, such as scarcity of fuel, primitive transportation facilities, banditry, and Indian depredations, greatly retarded the industry. But one of the most serious problems faced by the mine proprietor was the labor question. The lack of machinery in Mexico made necessary the use of man power or mule power almost exclusively. The difficulty of securing labor was at first partially solved by a form of Indian slavery

known as the mita system. Negroes and condemned criminals were also freely used; but even with such sources to draw upon, there was continual complaint of labor shortage.

Conditions in the earlier years, from the laborer's standpoint, were terrible beyond description. Abuse, privation, accident, and disease carried off thousands of the poor wretches, whom the Spanish conquerors forced into an occupation that bore the reputation of being "attended with every pain which hell itself could inflict." But gradually the mita system died out, and slave labor, except here and there, gave place to a semi-free, semi-peonage system under which negroes, Indians, and mestizos furnished the great bulk of the labor supply and passed the occupation down from father to son. Conditions, however, were still far from satisfactory. There were plenty of laws, it is true, to protect the laborer from unnecessary danger—for instance, there was an ordinance of Charles III requiring the installation of proper steps and ladders, and the keeping of these in sound repair—but the enforcement of such laws was seldom taken seriously, unless the safety of the mine itself was involved; and even then, inspectors were not always either conscientious or competent, so that disaster and accidents were of appalling frequency, even at the close of the colonial period.

The labor itself, even debarring accident, was extremely oppressive and ruinous to health. The *tenateros*, or packers, who carried ore and water in rawhide bags suspended on their backs by straps across the forehead, "remained continuously loaded with a weight of from two hundred and twenty-five to three hundred and fifty pounds, and constantly exposed to a very high temperature, ascending eight or ten times successively, without intermission, stairs of eighteen hundred steps." Severe as this labor might be, however, it was not so unhealthful as that of the *barenadores*, or powder men, whose life span seldom exceeded thirty-five years. Above ground conditions were equally conducive to disease. The dust and glare of the patios brought blindness to many of the women and children who broke up the ore for amalgamation. A large part of those engaged in carrying on the actual process of amalgamation spent their lives "in walking barefooted over heaps of brayed metal, moistened and mixed with muriate of soda, sulphate of iron and oxide of mercury." In the smelting operations the laborer was compelled to breathe the poisonous fume and vapor which arose for nearly an hour after water had been poured on the hot slag. The men drank unlimited quantities of water, became bloated, suffered acutely from fluxes and stomach cramps, and lost the use of hands and feet.

In the matter of wages, however, the mine employee fared better than any other laborer in Mexico. At the close of the colonial period he received from five dollars to five dollars and a half a week of six days, while ordinary labor on the haciendas

was paid about a dollar and a half. These high wages, however, were somewhat offset by the common practice of paying in goods instead of in money. Prices were exorbitant, and not infrequently the laborer was compelled to accept articles for which he had no use. So serious had become the abuses under this system that the code of Charles III (1783) made the practice illegal and forbade the payment of wages in "merchandise, effects, fruits or provisions." The same ordinance required the proprietor to pay his men each week in ore, coin, or bullion and imposed a severe fine if any reduction was made in the rate of wages "established by long usage and adopted in all the mine districts." Accounts were kept by the *rayador*, or paymaster, who was required to see that each man had a sort of tally sheet upon which the amount of his wages was indicated by circles, lines, and half lines, to represent the dollar and its various fractions.

The vices of the colonial laborer were of no mild sort. He was improvident, careless of his own life and the lives of his companions, much given to gambling, drunkenness and bloodshed, and an inveterate thief. Saint's days and church festivals were continually calling him off to celebrate. And thus, between his carousals and his religion, he had little time for work.

Machinery and Methods: As already mentioned, Mexican miners made but scant use of machinery. Ore was generally carried in rawhide sacks on the backs of *tenateros*, three of whom, it was estimated, were commonly required in large mines for each powder man employed. These packers ascended from the lowest levels of the mine by crude steps cut in the rock wall, or more commonly by means of "chicken ladders" or poles, notched deep enough to allow a precarious hold for their bare feet. When water became a serious problem, as it did in most mines, an adit (*socabon*) was driven into the hillside to drain the workings. Some of these showed great engineering skill. At Tasco there was said to be one over a third of a mile long in which a man might ride a considerable distance on horseback. In the mines of Rayas at Guanajuato there was one equally large; and the great adit which unwatered the famous Viscaina lode was seven feet wide by eight and one-half feet high and over a mile long. It required more than twelve years for its construction.

Where an adit was not feasible, the mines were unwatered by *tenateros* with the ever present rawhide bags, or by crude horse whims known as *malacates*. These were also used to bring ore to the surface, and under favorable conditions served both purposes reasonably well. In most instances, however, they were both inadequate and costly. The rawhide bags constantly rubbing against the rough walls of the shaft, wore out rapidly, and as they cost from one to two dollars each, the continuous replace-

ment of them constituted a considerable item of expense. One such bag full of water would weigh more than half a ton. Consequently, a great number of horses or mules were required to operate the whims in every large mine. The Ramon pit on the Viscuña lode, for example, in 1783 employed twenty-eight whims, each of which required forty horses, to keep the lower workings free from water. The cost of the operations exceeded ten thousand dollars a week.

The use of so many whims made necessary, of course, very much larger shafts than would otherwise have been required, thus entailing a heavy expense which could have been avoided by the use of less cumbersome machinery. The Tiro General, or main shaft, of the Valenciana was a striking illustration of this point. Octagonal in shape, its walls lined with masonry for more than a hundred feet from the surface, and with a diameter of nearly thirty-three feet, this huge shaft represented the acme of Mexican skill. Twelve years were required to sink it to a depth of six hundred feet, but the work was continued until the shaft had acquired a depth of nearly 1700 feet. The estimated cost of the completed work was more than a million dollars.

In some respects the colonial operations were carried on with remarkable skill. The common miner was an expert judge of ore and had an abnormal faculty for estimating its value. He was also a great prospector; so that only a few new fields of any magnitude have been opened in Mexico since colonial days. On the whole, however, the industry suffered severely not only from an insufficiency of capital, but also from crude and wasteful methods, and from a lack of technical skill. Humboldt, for example, estimated that only one-third of the powder used in the mines gave actual results; while Gamboa, a trained engineer himself and the chief authority on colonial mining, spoke of the mine surveyors and chief *alcaldes*, who had oversight of mining operations, as "strangers to the profession and ignorant of its rules." The ordinance of 1783 sought to remedy this lack of technical training by establishing a School of Mines, in which young men might receive a scientific course, to be followed by three years of practical experience before graduation. Unfortunately the revolution in 1810 almost ruined the new school.

The metallurgical processes were many and various, but in the case of silver only two are worthy of mention. These were smelting and amalgamation. The great wealth of the Mexican mines lay not so much in high-grade properties, as in the almost unlimited quantity of medium grade ore which the mines produced. The extraction of this was made possible by the famous patio process discovered in 1555 by Bartholomew Medina, a mining engineer at Pachuca. To this process, by which at least 75 per cent of the colonial output was obtained, Mexico owed her

phenomenal mineral development. The patio process was the most distinctive feature of Mexican mining, not only during colonial days, but for the most of the nineteenth century as well. In the great silver camps, the haciendas de beneficio, with their high white walls, built as a protection against robbery and theft, their courtyards covered with montons or tortas of metal in various stages of amalgamation, the innumerable laborers breaking ore for the arastres or grinding mills, and the half-naked men and boys, or droves of animals treating the huge slime pits, struck a chance visitor as nothing else connected with the industry.

Salt, magistral, lime, and quicksilver constituted the chief essentials in the patio process. Quicksilver, which came chiefly from Spain, Peru, or China, was a royal monopoly and constituted a very large item in production costs. Salt was also expensive and could be obtained in only a few places. The copper pyrite used in preparing magistral was more easily obtained, but its cost sometimes ran as high as ten dollars a carga or about three cents a pound. In the patio process the Mexican miner was much more wasteful than his European contemporary, in the single item of quicksilver alone incurring a loss with each amalgamation eight times greater than that suffered by Austrian or German methods.

Ores that could not be treated by the patio method were calcined or smelted and then refined. In this process the Mexican used a variety of methods and furnaces. One of the commonest of the primitive smelters was the "horno" or adobe furnace, which differed somewhat in type from place to place. That in common use in the Santa Eulalia district was about eighteen inches wide at the top, sixteen inches across the bottom and stood nearly four feet high. The blast was supplied by bellows at the back which might be worked by hand or mule power, depending upon the size of the furnace. The furnace just described held a charge of something more than one hundred pounds. The chief cost of operation in this method lay in the difficulty of securing charcoal, especially where wood was scarce, and the proper fluxes to be used with the ore.

For extraction of free gold, the machinery in commonest use was an "arrastre." This was a crude drag mill built usually near a stream of water and turning in a rock and clay or log wall pit, some twelve feet in diameter and three feet deep. The bottom of this pit was lined with flat stones and the cracks between filled with clay. The grinding apparatus consisted of two flat-bottomed stones weighing five hundred or eight hundred pounds each, attached by rawhide or grass ropes to the lower cross piece of an upright wooden shaft, set in the center of the floor. Another bar higher up made a sweep-like arrangement to which horses or mules were hitched. As these were driven around,

the stones were dragged across the floor and the ore, broken into walnut-sized pieces before being put into the mill, was ground to powder. A small stream of water flowing into the mill kept it filled to a depth of five or eight inches, while the pulp was carried off by the overflow. The gold, sinking to the bottom, was caught by quicksilver. About half a pound of this was required to a ton of ore and under favorable conditions as much as 50 per cent of the gold was caught.

Production: The figures of production during the colonial period, for reasons which cannot be explained here, are much more likely to be legendary than exact. The yield of certain great bonanzas, however, is fairly well authenticated and may prove of interest. The Cañada, one of the famous properties in the Real de Tlapujahua yielded close to 2,000,000 ounces of silver annually when in bonanza. La Esperanza, on the Veta Grande of Zacatecas, produced nearly 4,000,000 ounces a year. The mine of La Purissinna yielded a net profit of over \$200,000 annually for nearly two decades, and in 1796 produced six times that amount. Another mine in the Catorce district had a yearly output of nearly \$2,000,000. The mines of Sombrerete gave a net profit of \$4,500,000 in a few months of bonanza. Quebradilla produced more than \$200,000 in a single week. The mines of Pachuca, Bolaños and Batopilas, to mention only a few at random, were also producers of the highest order. But the mines located on the Viscaíña lode in the Real del Monte, and the great Valenciana probably surpassed anything else in Mexico. The Viscaíña was mined from the sixteenth to the early part of the seventeenth century. The works then became flooded and were not reopened for half a century. About 1740, however, a miner named Bustamante conceived the idea of running an adit to cut the vein at a lower depth. Bustamante died before the enterprise could be completed, but his partner, Don Pedro Romero Terreros, finished the undertaking in 1762. Before 1774 he had made a net profit of over \$5,000,000, and was recognized as one of the wealthiest men in the world. Thirty years later the mine was still producing close to 500,000 ounces a year. The Valenciana first came into bonanza in 1768. Within three years it was producing about \$3,000,000 a year, and for more than a generation continued this phenomenal yield.

II. THE NINETEENTH CENTURY (1810-1910)

Effects of the Revolution: At the close of the colonial period, the mining industry was at its height. The average yield was between \$20,000,000 and \$24,000,000 annually. The price of quicksilver and the duties on supplies had been materially reduced. A Mining Bank under royal control provided funds for the development and rehabilitation of desirable properties.

The recently established School of Mines promised to remedy the lack of scientific knowledge and technical skill under which the industry labored. In the very midst of this prosperity came the War of Independence, with its accompaniment of brigandage and crime. At the close of the ten years of revolution the industry was almost in ruins. Its demoralized condition was thus described by H. G. Ward, British chargé d'affaires in Mexico from 1825 to 1827:

"The Civil War," he wrote, "entirely destroyed the chain of communication between the highest and lowest classes of mining speculators. In many districts the Haciendas of the Rescatadores were ruined, as were the machinery and works of the mines themselves. In others, water was allowed to accumulate to an immense extent, in consequence of the suspension of the usual labors; while in all, the merchants who had before supplied funds for carrying on the different operations, withdrew their capitals as soon as the intercourse between the seat of Government and the Provinces was interrupted. In the years 1811 and 1812, the agricultural produce of the country likewise decreased so rapidly, that it became difficult to procure the means of subsistence. The mining towns were surrounded by Insurgent parties, which occupied the whole of the open country, and rendered it impossible either to receive supplies or to make remittances, without the protection of a large escort; while the exactions of the officers, by whom these escorts were commanded (exactions, which were reduced to a system, and in which the viceroy himself largely participated), doubled the price of quicksilver, and every other article consumed in the mines; and thus reduced the value of silver to the miner so much that the marc did not repay the cost of extraction, even with the richest ores. The poor ores were allowed to accumulate untouched.

"This was the real evil of the Revolution. It was not the destruction of the *material* of the mines, however severe the loss, that could have prevented them from recovering from the shock, as soon as the first fury of the Civil War had subsided; but the want of confidence, and the constant risk to which capitals were exposed, which from being in so very tangible a shape, were peculiarly objects of attraction to all parties,—led to the gradual dissolution of a system, which it had required three centuries to bring to the state of perfection in which it existed at the commencement of the War of Independence . . ."

The physical injury to which Ward referred was more serious than one gathers from his description. Most of the mines had become filled with water, the timbering in others had decayed, causing them to cave in, while even those that had been worked had suffered fully as much damage as the others from "high-graders," or "buscones," who robbed the pillars and veins of the more valuable ore, thus letting the roof fall in or leaving behind only such low grade mineral that the mine could not be worked with profit. The industry had also suffered from the withdrawal of labor to supply recruits for the armies and the many bandit companies that ranged over the land. As a result of these factors, production decreased from over twenty millions annually to about four millions. The need for re-creating the industry, both to furnish a national revenue and to revive business generally throughout the country was therefore acute. But Mexico had no capital with which to do this, for the original mine owners (mostly Spaniards) had either been killed or driven

from the country, while the old system under which mining operations were financed was broken up by the revolution.

Entrance of Foreign Companies: Capital, however, had to be secured if the mines were to be reopened. Consequently, the foreigner was invited to come in, both by agents whom the mine owners sent to England, France and the United States for the purpose, and by government officials, among whom the most notable was Lucius Alaman. The general mining laws of Spain made no distinction between alien and citizen; but since the law of the Indies forbade the presence of strangers in the colonies, the mines of Mexico had been closed to foreigners throughout the colonial period. In 1823, however, a decree was passed permitting them to acquire shares in mining properties. This was followed the next year by the organization of a number of foreign companies to exploit the abandoned Mexican mines. Seven of these companies were financed by English investors. One of them, the Anglo-Mexican Co., capitalized at \$5,000,000, in three years spent over \$4,000,000 in the operation of its thirty-six mines, some of which were among the most productive of the Spanish period. Another, the United Mexican Mining Association, capitalized at \$6,000,000, owned mines in Guanajuato, Zacatecas, Chihuahua, Oaxaca, Hidalgo, Michoacan, Mexico and Guerrero. It also established iron works in Durango and operated the mint in Mexico City. The Tlalpujahua Company, with a directorate partly French, was capitalized at \$2,000,000, and owned eighty-six mines, of which it operated thirty-nine, and employed over two thousand men. The remaining English companies, among which was the Real del Monte, operated on a somewhat less extensive scale in various parts of the republic. German capitalists organized the Eberfeldt Mining Co., and secured properties in Hidalgo, Mexico, and Michoacán.

Investors in the United States also became slightly interested in the Mexican fields. Joel R. Poinsett, the first American minister to Mexico, alarmed at the growth of English influence in the country, sought to counteract it by the organization of mining companies in the United States similar to those of British origin. One of these American companies was incorporated in Baltimore, while the other, the United States Mexico Company, secured a charter from the legislature of New York. The latter company got possession under lease of certain mines in Tamascaltepec, among which was the Cinco Señores, about a hundred miles from Mexico City. The operations of neither company, however, assumed much importance, though the directors spent very considerable sums on machinery and material.

For a number of years, on the other hand, the British companies carried on extensive operations and aroused an excitement among the investing public comparable to that of the South

Sea Bubble a century before. The most fabulous reports were spread as to the riches of the Mexican mines. Baron Von Humboldt, whose "Kingdom of New Spain" had appeared in 1811, was drawn upon for supporting statistics and doubtless proved the unwitting cause of many an English investor's downfall. The directors of the British companies were as little acquainted with the true situation in Mexico as were the stockholders. Without taking into account the real ability of their Spanish predecessors they tried to supplant everything native by importations from Europe. Huge steam pumps and machinery of various sorts were shipped from England and transported over especially constructed roads to the mines of El Oro, Guanajuato and even as far as San Luis Potosí, at enormous labor and almost prohibitive expense. Adits and underground workings costing thousands of pounds were undertaken without careful estimates of the results to be achieved by their construction. "Cornwall was drained of half its population" to furnish workmen in place of the skilled Mexican miners. Follies too numerous to mention ate up the capital of the shareholders along with the large quantities of bullion some of the mines actually produced.

Other factors, besides unwise management, likewise contributed to the failure of these early foreign ventures. The disturbed condition of the country and the difficulties of transportation made unforeseen drains upon the capital advanced, while the condition of the mines themselves was such as to make large profits somewhat doubtful. Under Spanish ownership most of these had been worked to a depth where, even with machinery, the cost of raising the ore to the surface and of keeping the workings free from water consumed a very large share of the returns, and in numerous cases absorbed much more than the mine was capable of bringing in. Furthermore, the Mexicans who owned the mines were shrewd business men and took advantage of the ignorance of the foreigners in negotiating the avios or leases under which the properties were held. As a result of these many unfavorable circumstances, most of the British companies suspended operations before 1835, with serious loss to the shareholders. The few that remained continued to operate with ever increasing deficits until all but one or two were forced to withdraw to escape bankruptcy. The first experiment of foreign exploitation of Mexican mines had ended in failure.

Misfortune and Decay: After the disappearance of foreign companies the mining industry settled down to a period of quiet. Production averaged about \$12,000,000 a year, most of which came from a few large bonanzas. After 1850, there was some increase of this amount, but the stormy days of French intervention and the revolutionary period succeeding brought the industry to the verge of ruin. In 1877, the combined output of gold

and silver amounted to only \$13,000,000. The northern states—Sonora, Chihuahua and Coahuila—were undergoing a reign of terror at the hands of the Comanche and Apache Indians, who carried on their depredations “without let or hindrance from the government.” Operations in nearly all the mines of Coahuila had been suspended and the state reduced to a wilderness. Chihuahua had been “brought to the verge of ruin” and was partially abandoned. In Sonora, “the land of romance, the land of tragedy, the dreamland of the filibuster,” not more than fourteen mines were being worked at full capacity.

In addition to Indian depredations, the country was overrun by bands of outlaws or lawless soldiery. Shipments of bullion could be made only under heavy guard; the rate of exchange with the interior was very high, running as much as 10 per cent between Mexico City and Chihuahua; travel in the interior was dangerous; and mining companies were frequently looted both of supplies and bullion or forced to contribute to the support of military bands.

Aside from these difficulties others no less serious retarded mining development. Even during the Spanish period taxes had constituted a serious handicap to the industry, and these had been still further increased by the republican government, so that by 1825 the industry paid at least 18 per cent to the national treasury. By 1868, these taxes had been raised to between 24 and 26 per cent, divided as follows: assay dues, $6\frac{1}{4}$ per cent, coinage dues, $4\frac{1}{2}$ per cent; circulation tax, $2\frac{1}{2}$ per cent; and export duties, $7\frac{1}{2}$ per cent. State taxes made up the remainder. Under such a tax miners who found no means of smuggling their product out of the country or otherwise evading the government charges could scarcely operate at a profit.

Another drawback to the business was the lack of transportation throughout the country. Bullion and supplies were carried in rude carts, on mule back, or by Indians along the mountain trails. These methods, which are still commonly practiced where railroads are lacking, though brought to a high degree of efficiency, were expensive and inadequate. Even in carts it cost twenty pesos a ton to transport supplies from Mexico City to Pachuca, a distance of sixty miles, and over one hundred and twenty pesos to bring the same supplies from Vera Cruz. Distribution of food could not be equalized throughout the country, so that one section might pay seventy-five cents a fanega for corn while another section some two hundred miles distant paid nine dollars for the same amount. Large machinery could not be brought even to those mines lying close to the capital except at enormous cost, while to transport such heavy material to districts lying away from well established roads was totally impossible. Ores could not be shipped from the mine except by mule back

and consequently if too low grade to be treated on the spot were of no value.

Another very serious difficulty confronted by the industry was the lack of capital necessary to develop the mines, install adequate machinery, and erect modern smelting and refining works. Such sources of supply as existed under Spanish rule had come to an end with the revolution or with the disappearance of the foreign companies before the middle of the century. Mexico was consequently compelled to rely almost wholly upon her own resources, which were entirely inadequate to meet the demands of the business. Mining had therefore been reduced to a sort of hand-to-mouth affair, conducted pretty generally throughout the country, except in the case of bonanza properties, in much the same way that Gen. Lew Wallace found it carried on in Chihuahua in 1867.

"Santa Eulalia," he wrote, "really ceased to be worked in any magnitude when the Spaniards were driven out of Mexico. In different ways the mines fell to owners who had little capital and still less energy. As miners the Mexicans are, in some respects, without superiors; they can tell at a glance the quality of ore, and in the mere manipulation they excel; but when extensive management is required of them they utterly fail. When his mine is bonanza the Mexican owner loses his head; he takes no care of his money, is open-handed as a child, and acts as if the treasure was inexhaustible. Consequently, when the present 'pocket' runs out he has nothing wherewith to renew operations. As a rule, Mexicans, however intelligent and educated, have no genius for machinery. They blow, crush and drill as their fathers before them did. For transportation of ore they prefer a train of donkeys to a train of cars, and steam engines are incomprehensible to them. Moreover, unlike Yankees, Mexicans are not associative for purposes of business; in fact, they know absolutely nothing of association as an element in great enterprise. As for the individuals there is but one gentleman in Chihuahua rich enough to work Santa Eulalia as it deserves, and he is a merchant, and strange to say, bitterly opposed to mining, although his fortune came from that source. If it depended upon the present owners, work in the mines would altogether cease. They derive aid, however, from others. Thus Señor Mateas has his backers in the city, who advance him limited sums of money, which he uses to pay his workmen and meet current expenses; when he brings the product of his labor to market and sells it, he not only returns the principal of the loan, but also pays his accommodating friend two-thirds of the profits. Such a system, together with the modes pursued, will keep that excellent gentleman poor though he owned all the mines in Mexico and lived a thousand years. As for foreigners, Frenchmen, Englishmen and Americans have often sought to obtain the control of the mines of Santa Eulalia, but in vain."

In addition to this lack of capital the confusion in laws, resulting from the constitutional grant of 1857, under which each state could legislate on mining matters, also hampered the development of mineral resources. Under the Mexican system of mining and metallurgy, moreover, the mines were becoming increasingly more difficult to work. In the older regions shafts like that of the Valenciana were sometimes down nearly two thousand feet. To bring the ore to the surface from such depths and keep the lower workings clear of water were problems too great for the Mexicans to solve. Districts once famous for their riches, like

that of Guanajuato, were therefore gradually abandoned. High grade ore, relatively easy to obtain, alone was profitable, while of the baser metals such as iron, lead and zinc, there was no production whatever in commercial quantities. Copper was mined almost entirely for use in the amalgamation of silver. Coal was not produced at all.

Revival Under Diaz: Such in general was the situation when Diaz became president. During his administration the industry underwent an astonishing revival. Four reasons may be assigned for this—first, the establishment of law and order; second, the enactment of favorable legislation to attract foreign capital and foreign companies; third, the building of railways; fourth, a material reduction of taxes.

Two important legislative measures were enacted during the first ten years of the Diaz régime to encourage mining. The code of 1884, drawn up by an advisory committee of mining engineers and lawyers under the supervision of the Department of Fomento, unified the existing laws and took from the states the power of legislating on mining affairs. Materials necessary for mining operations were relieved of taxes and import duties, and a limit of two per cent was fixed on state taxation. Coal, iron and quicksilver were exempt from all state taxation for fifty years. Beneficiating plants could not be taxed higher than other industrial enterprises. The code of 1887 granted the president power to enter into special contracts with companies investing a minimum of 200,000 pesos within five years in mining enterprises or metallurgical works. Such companies were to receive franchises or concessions relieving them of all local, state and federal taxes for ten years.

Even before the passage of the code of 1887, two important concessions had been secured by foreign companies. In 1885, French interests, largely supported by the Rothschilds, organized the *Compagnie du Boleo* with a capital of 12,000,000 francs to exploit the copper deposits of Santa Rosalia in Lower California. This company has since become one of the most famous copper producers on the continent. The year following, a concession was granted by the Mexican government to Alexander Robey Shepherd for the exploitation of numerous silver mines in the district of Batopilas. Shepherd, who had been governor of the District of Columbia under President Grant, came to Mexico in 1879, and bought the San Miguel mine at Batopilas for \$600,000. Between 1880 and 1886 he purchased various other properties and finally organized them into the Batopilas Mining Company, with a capital of nine million dollars.

The entrance of the Batopilas and Boleo companies marked the beginning of the modern period of Mexican mining. Within a short time, many other companies organized outside the repub-

lic were seeking special contracts with the executive under the terms laid down in the law of 1887. Under this law, also, modern smelting plants were established for the first time in Mexico. Previous to 1890, ores that required smelting were shipped to the plants across the border. This involved such heavy freight charges that only select and favorably located ores could be treated profitably. The inducements held out by the Mexican government to smelting companies were further supplemented by grants, mostly in the form of tax exemptions, from several state legislatures, while the low cost of Mexican labor proved an additional attraction.

The Guggenheims were among the first foreign interests to engage in the smelting business in Mexico. A concession was secured under the law of 1887 allowing free importation of machinery, construction material, and coke from the United States. Plants were erected between 1890 and 1895 at Monterrey and Aguascalientes, and somewhat later at Velardeña, Chihuahua and Matehuala. All of these are now controlled by the American Smelting and Refining Co. or its subsidiaries. In addition the same corporation operates some ten mining properties scattered throughout the country and a very considerable railroad system.

A number of other smelters were built from time to time during the early nineties by other companies. The Compañía Metalúrgica Mexicana erected a very large plant at San Luis Potosí in 1892, receiving ores from the mines of at least eight different states. The Peñoles Company, at that time a German-Mexican concern, had a somewhat smaller plant at Mapimi in Durango. Somewhat later the Compañía Metalúrgica de Torreon, a Mexican concern, built the third largest silver-lead smelter in the republic at Torreon. All told there are in Mexico today, besides the large smelters maintained by the important copper companies to handle their own ore and care for some custom business, seven large silver-lead smelters with a combined capacity of over 2,000,000 tons a year. Two minor plants have also been erected to care for antimony ores, while a zinc smelter has recently been established.¹

Later Legislation: In spite of the very considerable investment of foreign capital which took place after 1885 and the organization of the smelting business, the mining industry of Mexico faced serious difficulty in the early nineties, due chiefly to the continued fall in the value of silver. The government, feeling that this might be offset in some degree by more favorable legislation, passed a law in 1892 making certain radical changes in the requirements under which mining claims could be held. Under colonial law, mines left unworked for a period of four months or more reverted to the crown, and became subject

¹See page 284.

to denouncement. The law of 1884 provided that at least six workmen must be employed on a claim for not less than twenty-six weeks out of the year, or ownership in the property would be lost.

By the law of 1892, however, payment of taxes was made the sole requirement for retention of ownership. These taxes were based upon the number of *pertenencias* in a claim, the *pertenencia*, as under previous laws constituting the indivisible unit of mining concessions. Its dimensions were now a hundred meters on a side, equal to one hectare or 2.47 acres. The rates imposed by the new code called for the payment of an annual tax of ten dollars Mexican gold in three installments for each *pertenencia* in a claim, and a stamp tax of the same amount payable upon the issuance of the patent. In 1905, these rates underwent the following modifications—the stamp tax was reduced to five pesos, while the annual tax became six pesos for each *pertenencia* up to twenty-five in a property, and three pesos for each *pertenencia* in excess of that number. Aside from the revenue the law was designed to produce, its object was to encourage the industry by making conditions favorable for large investments of capital, especially in low grade properties. Under its provisions companies were able to denounce large areas and by paying slightly over a dollar an acre in stamps and an annual tax of about the same amount hold their properties in perpetuity. The intrusion of rivals could thus be prevented, and a sufficient supply of ore provided to justify extensive development work and the expenditure of large sums for machinery and reduction works. Beneficial as this law undoubtedly was, there were in it two elements of danger. Under its provisions, mining properties were likely to be held for purely speculative purposes; and large companies, getting possession of unreasonably extensive areas, might keep them undeveloped to the injury of smaller rivals and of the nation as a whole.

The law of 1892 was followed two years later by special legislation designed to increase the production of gold throughout the republic. Such increase was most desirable since the price of silver was still low and Mexico's output of gold, less than \$1,250,000 annually, was wholly insufficient to offset the decline in silver production. The new law permitted the executive to enter into special contracts for one year with companies or individuals seeking to discover or exploit gold placers. It is significant that the annual production of the metal increased within one year after the passage of the law from 59,000 ounces to 225,000 and had risen by 1900 to 444,000 ounces.

Under the stimulus of this favorable legislation and the growing sense of confidence investors came to have in the stability of political conditions, large numbers of foreign companies pur-

chased properties in Mexico. The bulk of these were American. Some were very large organizations with almost unlimited capital; others were of moderate resources; but the greater part were insignificant in size, representing the venturesome type of American pioneers who did their own prospecting and operated their own mines. This last class were especially numerous on the west coast.

Investments and Production: As the foreigner became interested in the industry the Mexican gradually withdrew. Little by little the important properties passed out of his control until by 1912 of a total investment in the mining business estimated at \$323,600,000, he could lay claim to something less than \$15,000,000. The following table shows the relative importance of the foreign holdings:

	American	British	French	Mexican	Miscel.
Mines	\$223,000,000	\$43,000,000	\$5,000,000	\$7,500,000	\$7,830,000
Smelters	26,500,000	.....	.....	7,200,000	3,000,000

Before 1914, German interests (the American Metal Co.) took over the last of the large Mexican holdings—the Madero properties—thus enlarging still further the preponderance of foreign control. During the European War the German owned stock of the American Metal Co. was taken in hand by the Alien Property Custodian, acting under the authority of the United States Government, and is said to have passed into the possession of American citizens.

The American holdings, which probably constitute fully eighty per cent of the producing properties in Mexico, are scattered all over the republic, but are especially numerous in the border states, and those a little further south. British companies operate chiefly near the capital, especially in the El Oro and Real del Monte districts. The holdings of the American Metal Company lie mostly in Coahuila, Chihuahua and Nuevo Leon. The chief French property is at Santa Rosalia in Lower California.

The coming of foreign capital brought about the introduction of machinery, improved methods of mining, highly efficient organization, cheaper and vastly better processes of metallurgy, the employment of highly trained engineers, and the use of steam and hydro-electric power. From the increased production due to these radical changes there followed a surprising increase of government revenue, the stimulation of agriculture and all other Mexican industries, a badly needed reform in labor conditions, material betterment of wages and an improved standard of living. The limits of this article do not permit a discussion of these points in detail, but the significance of such by-products may be seen in the increase of production from 1890 to 1912.

	Gold Troy Oz.	Value \$	Silver Troy Oz.	Value \$	Gold & Silver Total Value \$
1890-1891..	43,789	908,773.06	32,876,610	20,937,205.51	21,845,978.56
1895-1896..	289,409	6,006,197.65	47,895,454	30,501,836.01	36,508,033.66
1900-1901..	443,625	9,206,690.31	58,387,578	37,163,203.00	46,369,893.32
1905-1906..	877,195	18,204,684.03	59,426,785	37,802,802.63	56,007,486.66
1910-1911..	1,192,147	24,740,977.96	74,047,341	40,439,364.66	65,180,342.62

Other Minerals: In addition to this remarkable increase of gold and silver production, Mexico's output of other minerals experienced a corresponding increase. Copper, which exists in various forms in a large part of the mineral zones of the country, first began to be mined on an extensive scale in 1885 by the Boleo Company in Lower California. Other deposits were developed in Oaxaca, Puebla, Chihuahua, Aguascalientes, and Coahuila; but the most productive mines, not even excepting these of Santa Rosalia, were opened in the state of Sonora. Here the Green Cananea Copper Co., about forty miles from the international line, has a capacity production of approximately 5,000,000 pounds of blister copper a month; while the Moctezuma Copper Co., a subsidiary of the Phelps-Dodge Corporation, from its mines at Nacozari, east and south of the Cananea Co., has an output of about 3,500,000 pounds. The total copper production of Mexico in 1890 was estimated at 4730 short tons; in 1890 it reached 18,000 tons, and in 1910 stood at 60,000 tons.

Lead production attained also very considerable proportions after 1890, reaching as high as 150,000 tons in 1910. Much of the metal comes from the important silver-lead deposits of the Sierra Mojada region in Coahuila, discovered about 1880; but other large deposits exist in the Catorce district of San Luis Potosí, in Durango, Monterrey, Nuevo León, and near Parral and Santa Bárbara in Chihuahua. Where most of the ore was formerly sent into the United States for smelting, it is now handled by the smelters built since 1890 in various parts of the republic.

Zinc is also mined successfully in the Piedras Negras district of Coahuila, in Zacatecas, San Luis Potosí, and Chihuahua, especially near the camps of Santa Eulalia, Parral and Santa Bárbara. Until recently, the high cost of fuel prevented the establishment of a zinc smelter in Mexico, but latterly one has been built at Saltillo with an output of about fifteen tons of zinc oxide a day. It is the property of the International Ore and Smelting Co., a Belgian-French concern.

Iron has never been mined very successfully in Mexico, although several large deposits of ore exist. One of these, the celebrated Cerro de Mercado, or Iron Mountain of Durango, is nearly 4800 feet long, 1100 feet wide, and stands 640 feet above the plain. The entire mountain is an enormous ore deposit which runs nearly 70 per cent iron and is said to be sufficient in quan-

tity to supply all the foundries of Great Britain for upwards of three hundred years.

In spite of innumerable attempts, dating back to the days of the Spanish conquest and extending down to modern times, the Iron Mountain has resisted all too successfully the efforts made to reduce its ore to usable metal and thus solve one of Mexico's great industrial needs.

A modern foundry, the Fundadora de Fierro y Acero, at Monterrey has met with good success in its operations, handling between three hundred and four hundred tons of ore a day; but as yet the iron industry is only in its infancy. Foreign companies can render no more important industrial service to Mexico than by assisting in the development of the iron and steel industry.

III. SINCE 1910

The Effects of Revolution: The productivity of the Mexican mines after twenty-five years of steady progress under Diaz reached its highest point in the years 1910, 1911 and 1912, as may be seen in the following table:

	Year of Maximum Yield	Production in Kilograms ¹
Silver	.....1912.....	2,526,715
Gold	.....1911.....	37,119
Copper	.....1912.....	57,244,504
Lead	.....1910.....	124,291,705
Zinc	.....1910.....	1,833,084

¹Kilogram = 2.2046 lbs. avd.

After 1912 came years of anarchy and industrial depression. The immediate overthrow of President Diaz, while causing some apprehension among mining men familiar with Mexico, did not lead to any marked suspension of activities. There was a general feeling of confidence in the new government and in the fundamental stability of the country as a whole. In 1912, however, this confidence gave place to a feeling of uneasiness, and by 1913 many of the mining companies were in a critical state. Difficulties grew in intensity until a climax was reached in 1915 and 1916.

The chief evils, especially to smaller companies operating in outlying districts, arose from bandit raids, seizure of mine supplies, bullion, and concentrates by revolutionary parties, the levying of forced contributions, or the kidnaping and murder of foreign employees. Because of this insecurity to life and property many companies were compelled from time to time to suspend operations temporarily, or in some cases to abandon their properties entirely. The destruction of railway lines and rolling stock also seriously crippled the industry, frequently forcing a

complete shut down of operations, either through lack of necessary supplies or because the metal and ore could not be shipped from the mines.

Smelters felt this lack of transportation even more than the mines. Fuel and ore, both essential to operations, could not be had for months at a time. When fuel was obtainable it frequently happened that the mines could not be operated and the smelters had no ore. Or sometimes the mines were in operation and the smelters closed. Again, after a period of idleness a company at great expense would send in its foreign operatives, reorganize its Mexican force and blow in a portion of its furnaces. A few weeks later, the district would be overrun by some revolutionary party and all communication with fuel and ore bases cut off.

A few of the larger companies relieved the situation to some degree by purchasing locomotives and freight cars which they operated under permission from the Mexican government. The American Smelting and Refining Company owned some forty-four locomotives and about six hundred cars, while the American Metal Company had twenty-five locomotives and from six hundred to nine hundred cars. One or two other corporations likewise purchased their own engines and rolling stock. These companies paid the regular freight rates to the government and kept the cars and locomotives in repair. The government in return merely paid the train crews and furnished fuel.

Increased Taxes: Other major difficulties arose during the revolution from increased taxation, changed mining laws, the prevalence of graft and the development of serious labor problems. Mining has always been one of the chief sources of public revenue in Mexico. For many years the industry paid a *pertenencia* or property tax, and a title or stamp tax, besides refining, assay, and coinage dues of varying amounts. In 1912, the stamp tax on mining titles was five pesos per *pertenencia*; the property tax six pesos a hectare annually, up to twenty-five hectares, and three pesos for each additional hectare. The export duties on gold and silver ores were three and one-half per cent, and two and one-half per cent on bullion. Import duties were charged on supplies and machinery, while state and local taxes were also levied upon the industry. A surcharge of twenty-five per cent for the use of the federal government was collected on all state taxes at that time.

On March 1, 1915, the Carranza government issued the first of a series of tax decrees that altered materially the schedule prevailing under Madero. This first law increased the stamp tax to ten pesos a hectare and imposed the following progressive annual tax:

1 to 10 pertenencias in a property.....	12 pesos each
11 " 20 " " "	15 " "
21 " 50 " " "	18 " "
51 or more " " "	24 " "

The purpose of this tax, as announced by Carranza, was not only to produce more revenue, of which the government stood in dire need, but also to stop speculation in undeveloped ground and to break up some of the large claims held by foreign companies. An export tax of approximately six and one-half per cent on bullion and eight and one-half per cent on ore was also laid.

On April 16, 1916, the law of March first of the previous year was changed in several important particulars by presidential decree. Gold and silver exports were made subject to a ten per cent ad valorem duty, while five per cent was laid on other metals. The progressive feature of the property tax was changed as follows:

PRECIOUS METALS

1 to 10 pertenencias.....	6 pesos each per annum
11 " 50 " " "	12 " " " "
51 " 100 " " "	18 " " " "
101 or more " " "	24 " " " "

NON-PRECIOUS METALS

1 to 50 pertenencias.....	6 pesos each per annum
51 " 200 " " "	12 " " " "
201 " 500 " " "	18 " " " "
501 or more " " "	24 " " " "

Taxes which remained unpaid by March first were subject to a maximum penalty of two hundred per cent. States were also permitted to collect a production tax of two per cent. The surcharge on state taxes payable to the federal government was increased from twenty-five to sixty per cent.

The export features of this tax were subsequently modified in some important particulars. A temporary reduction in rates was made after December 10, 1916, but later a decree prohibited entirely the export of gold in bars or coin after September 28, 1917, and allowed its export in other forms only upon condition, secured by heavy bond, of a re-importation of the metal in coin or bars to the value of the gold in the concentrates and ore sent out. When silver was exported twenty-five per cent of its value had to be reimported in gold.

Another serious matter was the enactment of a decree September 14, 1914, requiring the operation of all mines in Mexico. An idle property thus either became subject to operation by the government or was thrown open to denouncement. As stated by

the government, the object of this decree (which went directly counter to the law of 1892) was to compel the working of idle property for the benefit of the laboring classes, to increase the public revenue, and to prevent speculation in abandoned ground. Provision was made for extension of time in individual cases upon application to the Department of Fomento, but many companies or individual mine holders found it impossible because of the lawless condition existing in the country to visit their properties or take in the supplies and materials necessary for operations. In such cases the enforcement of the law worked a most unjustifiable hardship.

Labor Problems: The revolution also made its influence felt upon the labor situation to a very marked degree. This showed itself in a threefold way—by legislation in favor of the mine employees; by the creation of a spirit of restlessness and insubordination; and by the dissipation of labor through the closing of mines and the eagerness of the men to follow some revolutionary leader or bandit chief.

The provisions of the Querétaro Constitution regulating the hours and conditions of labor and establishing a minimum wage added somewhat to the employers' problems. But the enforcement of the federal law, placed as it was in the hands of local officials, varied widely throughout the republic. State constitutions and legislation imposed additional requirements upon the companies, in some cases entailing such drastic changes that the managers ceased operations rather than comply with the provisions of the new laws.

Other articles in the constitution dealt with the industry from a different angle. Some of these provisions were taken almost literally from the constitution of 1857. Others were introduced because of the anti-foreign policy adopted by the Carranza administration. The most radical restrictions, a number of which foreign governments have persistently refused to recognize as in accordance with international law, were contained in Article 27. The text of this is to be found elsewhere in this volume and need not be repeated here.

Fortunately for Mexico and the mining companies operating there, the years of disturbance, labor troubles, and ill-digested legislation were years of unprecedented demand for nearly all metals produced in the republic. The market afforded by the Great War brought such an increase of prices that even the handicaps from which the industry suffered did not bring the drastic depression that otherwise would have followed. Below are given the production figures, taken from official Mexican sources, of the three most important metals for the years 1910,

1915, 1919 and 1920. The average price of silver and copper in U. S. currency for the same years is also included:

	Gold	Silver	Copper
1910.....	41,419 kilos	2,416,669 kilos	48,160,365 kilos
1915.....	7,358	910,052	205,978
1919.....	23,586	1,988,518	56,172,235
1920.....	23,370	1,979,972	46,056,900
	Average Price		
		Silver	Copper
1910.....	53.5	cents per oz.	14.1 cents per lb.
1915.....	49.7	" "	20.1 " "
1919.....	111.1	" "	23.5 " "
1920.....	100.9	" "	18.9 " "

The decline in metal prices which took place after June, 1920, did not make its effects felt in time to reduce the year's output materially below that of 1919. (See above for the actual figures.) But the closing months of 1920 and the first half of 1921 witnessed a stagnation of the industry in Mexico as in every other mining country in the world. This caused hardship and loss, not only to the stockholders of the companies, but also to the national treasury through the falling off of taxes and export duties; to a large percentage of the laboring population, who look to the mines for a livelihood; to the railroads, which have suffered on account of the decrease in freight; and to ranchers and merchants everywhere because of restricted markets and the reduced purchasing power of the mining communities. Until mining revives, business generally cannot flourish in Mexico, for mining is the economic life-blood of the nation.

TABLES AND MISCELLANEOUS INFORMATION

I. DISTRIBUTION OF MINERALS

Only four states in Mexico—Campeche, Yucatán, Tabasco and Quintana Roo—are without valuable mineral resources. In the rest of the country, however, the mining districts naturally show a wide variation in the character and extent of their deposits. The most important centers lie along the great western Cordillera, in a quadrangular shaped zone two hundred and fifty miles in width and approximately fifteen hundred miles long, extending in a general northwesterly direction from the Isthmus of Tehuantepec to the American border. West of a line drawn from Chihuahua to Oaxaca, the chief minerals are silver, gold and copper. East of that line are found deposits of lead, coal, tin, antimony and zinc. Such a division, however, is by no means hard and fast, but serves merely the purposes of a rough generalization. In addition to the substances just enumerated, Mexico also produces platinum, mercury, iron, sulphur, bismuth, manganese, molybdenum, graphite, and a variety of precious or semi-precious stones.

Table I shows the number and extent of the mining properties in the several states on December 31, 1920. It will be seen that the four chief mining states, from the standpoint of the area of mining claims, are Sonora, Chihuahua, Durango and Zacatecas, in the order named.

TABLE I

States	Number of Properties	Hectares
Aguascalientes.....	211	1,140
*Lower California.....	791	8,152
Coahuila.....	563	6,035
Colima.....	35	1,033
Chiapas.....	28	555
Chihuahua.....	4,124	55,454
Federal District.....	2	10
Durango.....	3,170	32,691
Guanajuato.....	1,185	14,642
Guerrero.....	1,078	18,630
Hidalgo.....	1,336	17,751
Jalisco.....	1,823	17,087
Mexico.....	849	11,507
Michoacan.....	624	17,834
Morelos.....	56	1,005
Nayarit.....	452	4,016
Nuevo Leon.....	1,087	13,264
Oaxaca.....	1,526	13,466
Puebla.....	265	7,542
Queretaro.....	179	1,961
San Luis Potosi.....	689	8,226
Sinaloa.....	1,554	14,499
Sonora.....	4,336	90,023
Tabasco.....	2	4
Tamaulipas.....	150	1,568
Tlaxcala.....	4	10
Vera Cruz.....	89	1,792
Zacatecas.....	1,873	19,733
Total.....	28,081	379,638

*The figures do not include twelve properties with a surface area of 20,627 hectares granted to the Compagnie du Boleo under special concession.

Table II, showing the number and extent of the mining claims allowed during the first half of 1920, is printed here because it also lists the kinds of minerals of commercial importance in the various states:

TABLE II

States	Number of Petitions	Hectares	Classes of Minerals
Aguascalientes.....	14	87	Silver, copper and lead
Lower California.....	...	...
Coahuila.....	25	158	Gold, silver, lead, zinc and iron
Colima.....	...	...
Chiapas.....	...	...
Chihuahua.....	266	2,233	Gold, silver, lead, copper and zinc
Federal District.....	...	...
Durango.....	70	461	Gold, silver, lead, iron
Guanajuato.....	5	62	Gold, silver and lead
Guerrero.....	27	338	Gold, silver and lead
Hidalgo.....	72	4,637	Gold, silver and lead
Jalisco.....	119	1,113	Gold, silver and copper
Mexico.....	30	207	Gold, silver, copper and asbestos
Michoacan.....	24	537	Gold, silver and lead
Morelos.....	...	...
Nayarit.....	25	204	Gold, silver and iron
Nuevo Leon.....	33	172	Silver, iron lead and zinc
Oaxaca.....	12	139	Gold, silver and graphite
Puebla.....	10	86	Gold, silver and lead
Queretaro.....	22	296	Gold, silver, lead, iron and mercury

(For further information on mineral distribution see Map No. 2.)

II. PRODUCTION

TABLE III

Production (Kilograms*) 1910-1920

Year	Gold	Silver
1910.....	41,419	2,416,669
1911.....	37,119	2,518,202
1912.....	32,431	2,526,715
1913.....	25,809	1,725,860
1914.....	8,635	810,646
1915.....	7,358	712,599
1916.....	11,747	910,052
1917.....	23,542	1,120,593
1918.....	25,313	1,883,163
1919.....	23,586	1,988,518
1920.....	23,370	1,979,972

*Kilogram=2.2046 lbs. avoirdupois.

PRODUCTION (Continued)

Year	Copper	Lead	Zinc	Mercury	Antimony	Graphite
1910	48,160,365	124,291,705	1,833,084	250,643	3,730,000	2,571,000
1911	56,072,071	116,758,097	1,592,606	165,123	4,131,000	3,050,000
1912	57,244,504	105,159,621	1,265,564	165,247	1,697,864	3,518,000
1913	52,591,779	68,343,000	959,904	165,728	936,760	4,435,000
1914	26,621,115	5,703,200	792,563	162,410	1,047,100	4,259,000
1915	205,978	19,970,952	5,806,028	93,986	738,767	4,189,000
1916	28,411,248	19,970,786	37,449,226	52,506	828,767	470,343
1917	50,985,923	64,124,752	45,180,778	33,132	2,646,544	420,046
1918	70,223,455	98,837,154	20,698,996	163,597	3,278,546	6,190,849
1919	56,172,235	71,375,968	11,559,685	118,940	470,738	4,023,015
1920	46,056,900	121,434,057	14,363,057	77,229	1,572,376	2,991,529

Year	Coal	Tungsten	Tin	Arsenic	Manganese	Molybdenum
1910	1,304,111	1	..	..	..	..
1911	1,400,000	..	..	..	..	..
1912	982,396	..	..	..	..	..
1913	..	..	..	..	..	..
1914	..	..	..	..	..	..
1915	..	..	..	..	..	..
1916	..	12,250	292	..	..	..
1917	..	187,637	9,214	1,284,820	73,387	..
1918	430,820	149,486	13,538	1,881,011	2,878,383	27,371
1919	693,866	21,970	1,588	2,246,378	2,294,227	1,767
1920	..	34,917	..	1,198,806	838,624	648

¹Figures unavailable because of revolutionary disturbances.

Virtually all of the non-precious metals produced in Mexico are exported to other countries, chiefly to the United States. A large part of the silver also goes abroad. Almost no gold was retained in the country prior to 1917, when its export was restricted by law. Table IV shows the relation between production and export of gold and silver from 1910 to 1919:

TABLE IV

YEAR	GOLD (kilograms)		SILVER (kilograms)	
	Production	Export	Production	Export
1910.....	41,419	37,244	2,416,669	2,299,112
1911.....	37,119	37,119	2,518,202	2,472,758
1912.....	32,431	32,431	2,526,715	2,464,779
1913.....	25,809	25,809	1,725,860	1,506,540
1914.....	8,635	8,635	810,646	727,921
1915.....	7,358	7,358	712,599	712,580
1916.....	11,747	11,547	925,992	910,052
1917.....	23,542	7,752	1,306,987	1,120,593
1918.....	25,313	7,511	1,944,542	1,883,163
1919.....	23,586	6,224	2,049,898	1,988,518

(Official Figures.)

III. CHIEF SMELTING WORKS IN MEXICO

1. SILVER-LEAD

Company	Location	No. of Furnaces
American Smelting & Ref. Co., Monterrey (Nuevo Leon).....		10
Amer. Smelting & Ref. Co., Aguascalientes (Aguascalientes) ..		1
American Securities Co., Chihuahua (Chihuahua).....		7
Compañía Metalurgica Mexicana, Velardeña (Durango).....		3
Compañía Metalurgica de Torreon, San Luis Potosi (San L. P.) .		10
Compañía Metalurgica de Torreon, Torreon (Coahuila).....		8
Compañía Minera de Penoles, Mapimi (Durango).....		6

2. COPPER

Am. Smelting & Ref. Co., Aguascalientes.....	10
Am. Smelting & Ref. Co., Matehuala (San L. Potosi).....	3
Am. Smelting Securities Co., Velardeña.....	3
Compagnie du Boleo, Santa Rosalia (Lower Cal.).....	8
Cananea Consolidated Copper Co., Cananea (Sonora).....	8
Mazapil Copper Co., Concepcion del Oro (Zacatecas).....	4
Tezuitlan Copper Mining and Smelting Co., Tezuitlan (Puebla)	2
Compañía Metalurgica de Torreon, Torreon.....	2

IV. TAXATION

On June 27, 1919, a new schedule of mining taxes was put into effect by executive decree, superseding the existing rates. Since that date, certain changes have been made in individual items, but the general law remains the same. The tax, with its subsequent amendments, subjects the mining industry to three forms of imposts, namely, a *pertenencia*, or property tax; a production tax; and assay, refining, and coinage fees.

A. PERTENENCIA TAX

1. Title or stamp tax of \$10 gold (Mexican) per *pertenencia* when title is issued.

2. Annual tax on each *pertenencia* in a property according to the following schedule:

1 to	5	<i>pertenencias</i>	\$6	gold (Mex.)	per	<i>pertenencia</i>	
6 to	50	“	\$9	“	“	“	“
51 to	100	“	\$12	“	“	“	“
Over	100	“	\$18	“	“	“	“

This tax is payable every four months (*tercio*). By a decree of July 5, 1919, the penalty for delinquency was fixed as follows:

Tax payable first month of every <i>tercio</i>		
Second month.....	10%	added
Third “	25%	“
Fourth “	50%	“

If the tax remain unpaid after four months the title is subject to cancellation.

B. PRODUCTION TAX

Gold and silver presented at the mint.....	7%	ad valorem
Gold and silver in the form of mineral earth or rock, concentrates, cyanides, sulphides, etc., for export.....	8%	“ “
Gold and silver partially refined before export..	7%	“ “
Lead, tungsten, molybdenum, manganese, graph- ite and mercury.....	2%	“ “
Zinc, antimony, and other metals not elsewhere provided for.....	1%	“ “

(The Secretary of the Treasury publishes monthly a schedule of quotations by which export valuations are fixed. See D. below.)

By a decree of June 23, 1920, the tax on silver was materially lowered, and on December 30th President Obregón made a still more drastic reduction. Under the new schedule, given below, a variable rate was established, based upon quotations of the metal in the New York market.

The tax on silver presented at the mint was as follows:

Price per oz. in New York	Tax
60c or less.....	none
60c to 70c.....	1 %
70c to 80c.....	1.5%
80c to 90c.....	2 %
90c to 100.....	7 %
100 to 110.....	8 %
110 to 120.....	9 %
120 to 130.....	10 %
130 to 140.....	11 %
140 and over.....	12 %

Silver designed for export was relieved of the tax so long as the New York quotation did not exceed sixty cents an ounce. Above that figure the tax was fixed at eight per cent.*

In the law of June 27, 1919, an elaborate schedule was provided for fixing the tax on copper. This depended upon the form in which the metal was to be exported, the percentage of the copper content, the amount of gold and silver carried and the price of electrolytic copper per pound in New York. The original schedule was lowered by subsequent decrees, and on January 5, 1921, President Obregón removed the tax entirely so long as copper remained below fifteen cents on the New York market.

C. ASSAY, REFINING AND COINAGE FEES

On January 7, 1921, the following decree was issued, superseding the previous schedules:

1. ASSAY FEES: GOLD AND SILVER

- a. Gold in bars at least 994 fine: Mex. Gold
- 1000
- For each bar 10 kilograms in weight.....\$2.50
- For each 10 kilograms or fraction in excess..... 2.50
- b. Gold in bars, or gold and silver mixed, at least 100 fine:
- 1000
- For each bar 35 kilograms in weight.....\$3.00
- For each 10 kilograms or fraction in excess..... 3.00
- c. Silver in bars, unmixed with gold, at least 100 fine:
- 1000
- For each bar 35 kilograms in weight.....\$1.50
- For each 10 kilograms or fraction in excess..... 1.50
- d. Lead, copper, or other metal in bars or ingots:
- For each ten metric tons.....\$3.00

*Since export duties and taxes are subject to change by presidential decree, the rates here quoted should not be considered as at all permanent.

- e. Artificial sulphides, concentrates, matte, and ores:
- | | |
|--|--------|
| Sulphides, for each 2 metric tons..... | \$3.00 |
| Concentrates, for each 4 metric tons..... | 3.00 |
| Matte, for each 8 metric tons..... | 3.00 |
| Ores, for each 14 metric tons..... | 3.00 |
| Smelter tailings: for each 20 metric tons..... | 3.00 |

2. ASSAY FEES: MERCURY

- a. For each lot of 20 flasks or fraction.....\$3.00
 On gold and silver content..... 3.00

3. ASSAY FEES: ANTIMONY, COPPER, LEAD

- a. Metal, for each 10 tons.....\$3.00
 b. Concentrates, for each 20 tons..... 3.00
 c. Ores, for each 50 tons..... 3.00

4. ASSAY FEES: ZINC, TIN AND TUNGSTEN

- a. Metal, for each 5 tons.....\$3.00
 b. Concentrates, for each 10 tons..... 3.00
 c. Ores, for each 25 tons..... 3.00

5. REFINING OF GOLD AND SILVER

- a. Gold in bars, at least 994 fine, for each kilogram or frac-
 tion, previous to refining.....\$0.30
 (Minimum charge \$3.00)
 b. Gold and silver in bars, or mixtures of gold and silver in
 which the gold constitutes at least 10%, for each kilo-
 gram or fraction.....\$0.25
 (Minimum charge \$2.50)
 c. Bars containing no gold or in which the gold content
 is less than 10%, for each kilogram or fraction.....\$0.15

6. COINAGE

- a. Gold $\frac{1}{2}\%$
 b. Silver 2%

D. SCHEDULE OF VALUES

(Used as basis for fixing taxes, June, 1921)

GOLD

In bars and ingots.....\$ 93.33, Oro nacional per kilo.
 In minerals and concentrates 106.67, Oro nacional per kilo.

SILVER, COPPER, LEAD

No export duties because of low prices

TIN

In bars and ingots.....	1.377 Centavos per kilo.
In minerals and concentrates.....	1.652 Centavos per kilo.

ZINC

In bars and ingots.....	0.154 Centavos per kilo.
In minerals and concentrates.....	0.206 Centavos per kilo.

ARSENIC

Arsenic	0.365 Centavos per kilo.
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ANTIMONY

In bars and ingots.....	0.183 Centavos per kilo.
In minerals and concentrates.....	0.254 Centavos per kilo.

TUNGSTEN

In minerals and concentrates.....	1.163 Centavos per kilo.
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MOLYBDENUM

In minerals and concentrates.....	8.451 Centavos per kilo.
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MANGANESE

In minerals whose <i>ley</i> is over 50%.....	0.123 Centavos per kilo.
In minerals whose <i>ley</i> is less than 50%.....	0.082 Centavos per kilo.

GRAPHITE

Amorphous	0.158 Centavos per kilo.
Refined	0.494 Centavos per kilo.

MERCURY

Mercury	5.444 Centavos per kilo.
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V. LABOR

The Mexican is generally considered an inferior workman. He is proverbially careless, lazy, and in most forms of work less efficient than the mine laborer across the border. His ingrained habits of theft, dissipation, and improvidence add to the employer's problems. Tools and supplies are continually stolen unless carefully watched; and where high grade ore exists, the employees must be thoroughly searched whenever they leave the mine. Because of the peon's disinclination to do a full week's work most companies find it necessary in order to operate continuously to have from twenty-five to fifty per cent more men available than are actually employed at any given time. It is also customary to pay a bonus for each full month's work.

Another drawback is the Mexican's lack of technical skill. Many companies, especially those near the border where a better class of labor exists than in the interior, have partially overcome this difficulty by giving a select number of their employees practical training in the companies' shops. In nearly all cases, however, even where this is done, the use of machinery must be left under the general oversight of a foreigner.

Both federal and state legislation has been passed in considerable volume, especially during the last decade, to protect the laborer against exploitation. Laws not only regulate hours and wages, but seek to provide for the safety and health of the employee. Companies are required to provide medical attendance in case of accident, and in some states to pay an indemnity for permanent injury or death resulting from the management's carelessness or oversight. The welfare of the laborer does not depend entirely upon the efficacy of such laws, however, since most of the larger foreign companies voluntarily provide for their employees beyond the legal requirements. For example, the best hospitals in the republic today are those maintained by mining companies for their employees and their families. An excellent type of such institutions is the hospital supported by the Green Cananea Copper Company in Sonora. A number of years ago, several companies also sought to inaugurate systematic "Safety First" campaigns among their employees. The most effective efforts along this line were carried on by the Santa Gertrudis Company of Pachuca.

If the companies operating in Mexico are handicapped by the inefficiency of labor, they are somewhat compensated by the lower wage scale which predominates in that country. Wages are generally higher near the border, gradually diminishing as one approaches the interior. The contract system commonly prevails.

In 1920 the following was a fair schedule of the wages paid in Guanajuato on an eight-hour basis:

Classes	Pesos per Day
Machine drillers.....	\$2.50
Helpers	1.50
Powder men.....	1.50
Peons	75 to 1.00
Trimmers	1.25
Hoist men.....	2.25

In the metallurgical works at El Oro the schedule ranged from seventy-five centavos to twelve dollars fifty cents (Mex.) a day, with an average wage of one dollar and seventy-six cents. The Santa Gertrudis Company of Pachuca paid from one dollar and eighty cents to five dollars (Mex.) with an average wage of two dollars and forty cents. The Green Cananea Copper Company, forty miles from the border, maintains a schedule based on Mexican currency that closely approximates the schedule in American currency prevailing in Arizona.

THE PETROLEUM INDUSTRY

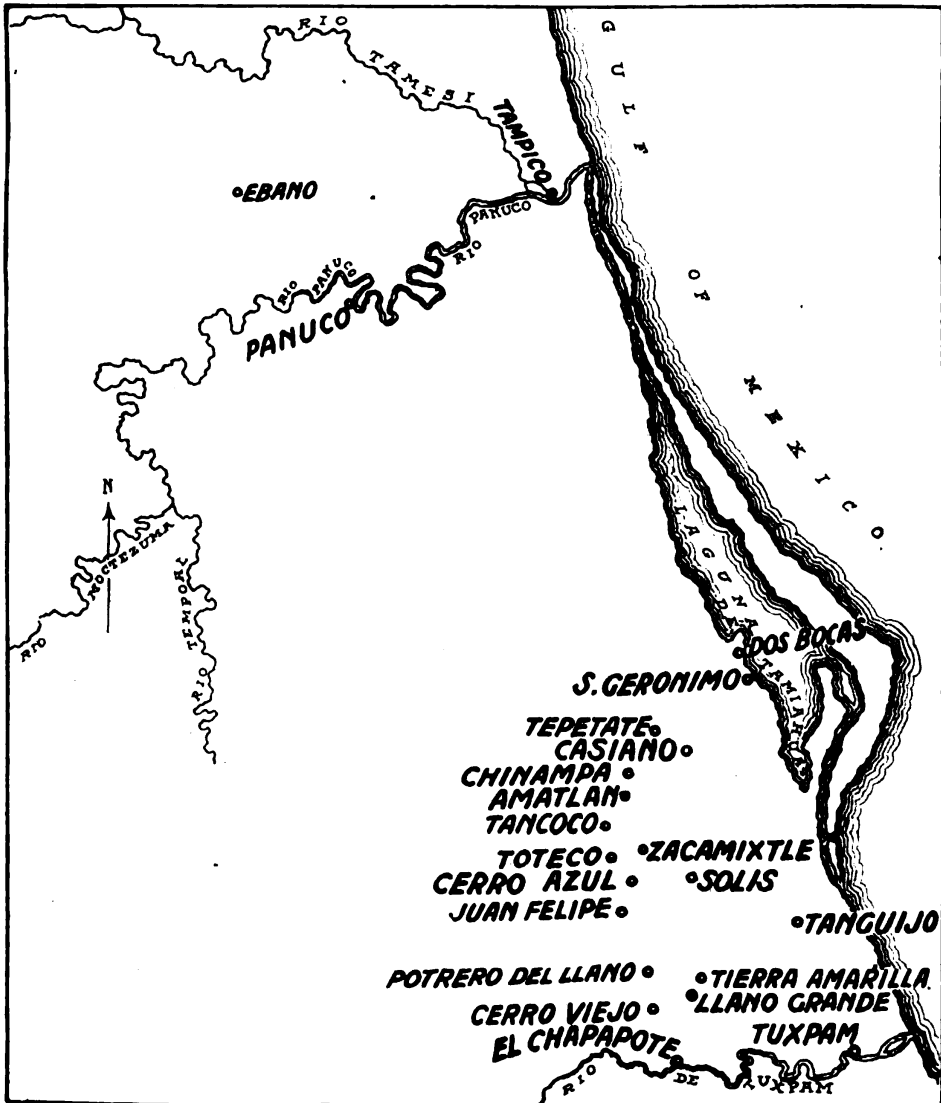
I. HISTORICAL SUMMARY

Early History: Although the development of the petroleum industry in Mexico is of comparatively recent origin, the existence of oil springs and exudes in certain of the Gulf States has been known for centuries. Long before the coming of the Spaniards the Indians made primitive use of the asphalt which was to be found in numerous seepages back from the coast or along the beach where it had been washed up by the waves. The Spanish chroniclers of four hundred years ago also recorded the fact that a peculiar substance, which the Indians called chapapote, was bought and sold by the Aztecs in the great market of Mexico City. The commercial value of petroleum, however, was undreamed of by the world prior to the middle of the nineteenth century: so that the potential wealth of the Mexican deposits remained unnoticed until the first oil boom in Pennsylvania, and the fortunes which were made from it, led to a few spasmodic attempts to exploit the Gulf fields.

As early as 1865 a Mexican named López obtained a concession from the Department of Fomento to drill for oil in the San José de las Rusias field in Tamaulipas. Three years later an American named Hoyt, who was serving as United States Consul at Minatitlán, reported to the State Department that petroleum existed in almost unlimited quantities on the Isthmus of Tehuantepec, and frequently formed small lakes and springs on the surface. About the same time a company known as the Compañía Exploradora de Petroleo del Golfo Mexicano drilled a well one hundred and twenty-five feet deep from which it secured three or four barrels of oil a day. In 1870, a man named Autrey, or Ortray, reputed inventor of Angostura Bitters, came into possession of this property, set up a still at Papantla to which he carried oil by mule back, and refined about four thousand gallons of kerosene for which he found a ready sale in the local markets. In 1873, denouncements were made along the Tamesi river by certain Mexicans, and some ten years later a full report on the asphalt beds of Vera Cruz, Chiapas and Tabasco was sent to the State Department by the United States Consul-General at Mexico City.

Boston-Mexican Oil Company: The most pretentious efforts to develop oil during this early period, however, were made by a New England syndicate known as the Boston-Mexican Oil Company. In 1881 an American resident of Mexico, Capt. George Glidden, had denounced some two thousand acres of oil-bearing land in the Department of Tuxpam, Vera Cruz. Shortly afterwards, Glidden died in New Orleans and his widow sold his Mexican claims to the Boston-Mexican Company. The property

claimed by Glidden consisted of four haciendas, known respectively as Tampamachoco, Chapapote, the Gil, and Juan Felipe. Tampamachoco fronted on the western bank of the lake of the same name, four miles from the mouth of the Tuxpam river. Chapapote lay twenty-five miles upstream and about fifteen miles



3. Sketch Map of the Pánuco-Tuxpam Oil Fields

south of the Gil, through which ran the main highway (Camino Real de Juan Felipe) to the interior. Juan Felipe, some forty-five miles northwest of Tuxpam, reached back to the highlands of the San Juan range and overlooked the plain below.

On each of these four properties, according to the prospectus of the company, there were numerous springs of petroleum which

flowed so profusely as to constitute an annoyance to the surrounding ranchers.

At Chapapote, as described by the company's literature, "the flow of petroleum makes its appearance about the circumference of the base of a hill which raises itself from the surrounding plain. These springs in large number appear in parallel lines, one above the other according to the slope of the hill, almost encircling it with flowing wells of petroleum. The overflow from these springs has formed great lakes extending for a distance of a mile through a depression in the soil fifty feet in width, filled with viscous petroleum."

The Gil possessed characteristics very similar to those of Chapapote. Also on the Juan Felipe holdings vast lakes of petroleum, one of which was four miles in circumference, had been formed in valleys and ravines by the overflow of the running springs. As nearly as can be determined, the Boston-Mexican Company drilled a number of wells on its different properties, two of which reached a depth of four hundred feet and one of which may have produced a little oil. More than this, however, the venture failed to accomplish, and the concern went the way of many another company operating in unproven territory.¹

From 1885 to 1898, other companies or individuals sought to tap the hidden sources of the Mexican seepages, but without success. In many districts the Indians were compelled to set fire to the petroleum lakes three or four times a year to keep their horses and cattle from bogging down in the overflow. In certain localities a few natives erected crude stills to refine the oil, which they secured from shallow wells sunk with pick and shovel, bottling the product and selling it locally for medicinal purposes. On the beach near Tuxpam asphalt washed ashore by the waves became the property of the finder, who sold it for export to the Hamburg market, where the best quality brought about four dollars a hundred pounds. A few years before the close of the century, the asphalt deposits of Chapapote Nuñez, about two miles north of the Tuxpam river, began to be developed in a small commercial way, and it is said that about two thousand tons were mined and floated in boxes sixty miles down the Tuxpam river and shipped by steamer to the United States.

With the crude and negligible exceptions just noted, however, the petroleum deposits of Mexico remained untouched for thirty-five years after the Mexican government had granted the first concession for their exploitation. About 1900 new impetus was given to their development by the organization of the Mexican Petroleum & Liquid Fuel Co. Ltd., an English concern in which Cecil Rhodes was interested. This company drilled twenty-four wells in the state of Vera Cruz, but failed to strike oil in paying quantities, though several of its wells reached a depth of fifteen hundred feet.

¹The properties of the Boston-Mexican Company are now pretty largely included in the holdings of the Mexican Petroleum and Aguila companies.

Beginning of Commercial Production: Shortly after the barren efforts of this English company, the first successful well was drilled in Mexico. In May, 1900, E. L. Doheny and C. A. Canfield of Los Angeles, California, together with a few companions, made a prospecting trip through the regions west of Tampico in search of oil. A. A. Robinson, at that time president of the Mexican Central Railway, had agreed in case petroleum should be produced in sufficient quantities to use it in place of coal on his company's locomotives. In this way a Mexican market not only became the incentive for the production of Mexican oil, but a use was also found for the heavy petroleum which other prospectors of the field had considered unmarketable. Through information furnished by A. V. Temple, industrial commissioner of the Mexican Central, Doheny and Canfield investigated the large oil seepages west of Tampico and found such other favorable indications in the same region that they purchased a tract of two hundred eighty-three thousand acres, known as the Hacienda El Tullillo, lying near the junction of the three states, San Luis Potosí, Tamaulipas, and Vera Cruz.

In December, 1900, these men organized the Mexican Petroleum Company, with a capital of ten million dollars, half of which was used to take care of the Tullillo estate and to secure an additional one hundred thousand acres in adjacent tracts. The new company established a town called Ebano (from the ebony forests of the region) about thirty-five miles from the city of Tampico in the heart of the jungle, and on a spur of the Mexican Central Railway. Drilling commenced in May, 1901, and within fourteen days a flow of about fifty barrels of oil a day had been secured.

Early Difficulties: By 1903 this pioneer company, after weathering the financial crisis of the two preceding years, was producing petroleum in sufficient quantity to meet the contract which had been made with the Mexican Central Railway in 1901. In the meantime, however, the control of this road had passed into the hands of the president of a refining company which had enjoyed a monopoly of the distribution of oil in Mexico since the early eighties. This new head of the Mexican Central, fearing that his control of the oil business might be endangered if a successful producing company should be established in Mexico, repudiated the agreement between the railway and the Mexican Petroleum Company, thus shutting off the market upon which the latter had been relying since its beginning. The situation was extremely serious for the petroleum corporation. The oil, too heavy to be refined or piped to the city of Tampico, could be used only for fuel or paving purposes, and until development should be carried out on a much larger scale, no market could be found for it after the repudiation of the Mexican Central con-

tract. The situation was still further complicated by the severe slump in prices following the opening of the Beaumont fields of Texas, which reduced the value of fuel oil until at one time it brought only three cents a barrel.

The Mexican Petroleum Company, however, went forward with its development work. Sawmills, machine shops, warehouses, water-works and other essentials to the business were established. A short railway line was built and fifteen tank cars purchased; and though the paving business in Mexico was at that time monopolized by a group of Cientificos, well financed and strongly entrenched in the government, a competing company was organized and an asphaltum plant set up to care for the company's heavy oil. The product of this plant has since paved the streets of half a dozen important Mexican cities.

Other Companies: In 1904, after the Mexican Petroleum Company had expended nearly three million dollars in development, it struck its first large gusher, flowing about eighteen hundred barrels a day, south of Ebano. Following the lead of this company, other organizations began to enter the Mexican field. Several shallow wells were sunk in Vera Cruz and Tamaulipas, while a number of asphalt companies began to exploit the surface deposits in Tuxpam. In 1903 the Oil Fields of Mexico Company, backed by English capital and closely identified with the Pearson interests, of which more will be said hereafter, purchased and leased about two hundred square miles of land lying some distance north of Vera Cruz and about fifty miles southeast of the present Potrero del Llano district. This region, the most southern of the developed areas in the Tampico-Tuxpam zone, was called the Furbero field in honor of the company's president, Percy Furbero. The Oil Fields Company began active drilling in 1904 and by 1907 was producing several thousand barrels of very high grade oil. A pipe line and railroad were built to the port of Tuxpam, but the field as a whole soon proved a disappointment. Many of the wells ceased to flow and in others salt water made its appearance.

About the same time the Oil Fields Company started operations, Sir Weetman Pearson, or Lord Cowdray as he is now known, who for nearly forty years held a preeminent position in Mexican affairs, began drilling operations on the Isthmus of Tehuantepec near Minatitlán in the State of Vera Cruz. Between two and three thousand barrels of oil a day were being secured in 1906 and a year or two later a large refinery was erected at Minatitlán to care for the product. The field quickly went back, however, and now yields only a few hundred barrels a day.

Other companies, chiefly American, started drilling operations in various sections. The officials of the Mexican Petroleum Company organized a new company known as the Huasteca Petroleum Company and began to prospect in lands which were pur-

chased or leased in the Huasteca Vera-Cruzana district south of Tampico. The Compañía Mexicana de Petroleo El Aguila (Mexican Eagle Oil Co.), which was organized by Sir Weetman Pearson, likewise began operations in the Huasteca region on lands leased from Mexican owners.

Large Scale Production: The principal activity at this time was in the district of San Jeronimo, and here the Aguila Company struck two remarkable wells at a point called Dos Bocas. The second of these took fire in July, 1908, and burned for nearly two months—an enormous column of fire which destroyed all vegetation within a radius of several miles and defied all efforts and devices brought forward to extinguish it. Eventually the flow of oil decreased, water began to appear and soon the whole district was flooded and ruined as an oil-producing region. Meanwhile, both the Aguila and Huasteca companies were carrying on an active drilling campaign to tap the enormous oil reservoirs of which the Dos Bocas wells gave evidence. The Huasteca Company started operations somewhat south of Dos Bocas at a place called Casiano. To furnish means of transporting the oil to seaboard, a pipe line seventy miles in length was built from Casiano to Tampico, at a cost of one and a half million dollars. This line was not quite completed in December, 1910, when a large gusher known as Casiano No. 6 came in with an initial flow of about fifteen thousand barrels a day. A few days later, Casiano No. 7 came in with a production estimated at sixty thousand barrels a day. This well could not be capped, but the flow was finally reduced to about twenty-five thousand barrels.

Such successful production on the part of the Huasteca Company would have proved disastrous if facilities had not been provided to care for the oil before the wells were completed. As it was, even with storage reservoirs built and a pipe line almost completed, the flow was so great as to tax the company's resources. There were no contracts for the sale of the petroleum and no ships for its transportation; consequently to save the oil and protect the property around the well, additional steel storage tanks and reinforced concrete reservoirs with a total capacity of several million barrels were rushed to completion.

During the same month that the Huasteca officials were so hard pressed to care for the surplus oil from Casiano, the Aguila Company also found itself embarrassed by too great riches. Some twenty-five miles south of Casiano, in the middle of a jungle, lay a property known as Potrero upon which the Pearson interests had obtained a lease. The first well was drilled here in December, 1910. Almost without warning a flow of petroleum was struck that surpassed anything previously known in oil history. No valve was on the well when it came in, and so great was the force of the oil that none could be installed. Consequently until May, 1911, the flow remained unchecked, and by actual measure-

ment averaged one hundred and five thousand barrels a day during this period. A reservoir hastily constructed with a capacity of over three million barrels was soon filled. The undiminished stream then ran down the Tuxpam river, thirty-four miles to its mouth, covering the beaches and a strip of quiet water out from the shore. Fishing was destroyed in the Tuxpam river; the oyster beds were ruined by the thick asphalt which sank from the surface; and transportation by rowboats was rendered impossible, because the heavy oil formed huge balls around the blades of the oars.

Aside from the petroleum lost, and the heavy destruction of property caused by the escaping oil, the uncontrollable flow threatened ruin to the entire region if it should become ignited. Fortunately, this catastrophe was prevented by vigorous efforts both on the part of the company and of the government. The Aguila Company finally got the situation in hand by constructing a pipe line from Potrero to the mouth of the Tuxpam river. Here it built some twenty fifty-five thousand barrel steel tanks; and in order to load directly into tank steamers which could not cross the Tuxpam bar, laid two eight-inch submarine lines through which the oil was pumped into the vessels. This innovation in the loading of petroleum proved so successful that the company was able to discharge as much as a million barrels a month into ships standing out a mile at sea. The same method is now followed by many other companies shipping out of Mexico.

Other companies duplicated the success of the Aguila and Huasteca operations with equally large gushers. The Pennsylvania Mexican Fuel Company, organized in 1911-12 by Pittsburg capitalists of the Standard Oil group, leased property south of Potrero del Llano and brought in two wells, one of which had an initial flow of about eighty thousand barrels a day. The East Coast Company (a subsidiary of the Southern Pacific Railway) and other American companies also met with excellent success in their operations in the different fields. In January, 1914, an important European company, the Corona Petroleum Company of the Dutch Shell interests, brought in its first big well in the Panuco field with an estimated capacity of one hundred thousand barrels a day. Other large gushers were drilled from time to time by one company after another in the next few years. The most remarkable of these was that known as Cerro Azul No. 4, belonging to the Huasteca Company. This well, located eighty-five miles south of Tampico in a cup-shaped valley of fifty-two thousand acres, was brought in on February 10, 1916, under the most spectacular circumstances. When the oil reservoir was unexpectedly tapped the gas rushed forth in a deafening roar and with such terrific force that it stripped off the well's valve, tore the derrick to pieces, and tossed the drill bit of two tons' weight into the air like a plaything. Until late in the afternoon

this terrific flow of gas continued. Then oil began to appear and soon a column of petroleum six hundred feet high was shot into the air, saturating the country with its spray for miles around, and pouring forth a flood of nearly three hundred thousand barrels a day. Such an amount of oil unless under control was a menace to the whole region, but after several days of the most strenuous efforts the flow was stopped by a specially constructed valve mounted on clamps and slid over the well by means of a screw.

While the well was being brought under control the company put forth every effort to save the escaping oil. Mexican laborers were brought in for miles around, and by damming up an arroyo succeeded in providing storage for many thousands of barrels. Another large amount flowed on down the water course and formed a stream several miles long. All of this was burned to prevent damage to surrounding property.

With the drilling of such wells as have just been spoken of, the problem of production became subordinate to other issues. These were partly of a political nature and partly physical. Of the latter type were questions of markets, storage, transportation, and refining. The political problems faced by the industry were much more complex. For purposes of clearness they may be treated under three heads, as follows: Effects of the revolution; taxation; and nationalization.

Revolutionary Conditions: The petroleum industry, like every other business in Mexico in 1911, suffered from revolutionary disturbances. Both in loss of life and property damage, however, the oil companies paid a far lighter toll than mining and railway companies. Shutdowns on various occasions worked considerable loss, and inevitably there was some destruction of property in the numerous revolutionary battles. In the oil fields themselves storage tanks were perforated by artillery or rifle fire, with a consequent loss of oil, and many thousand head of cattle and other live stock belonging to the different companies were driven off or killed for food by the soldiers of the various factions. Yet when one takes into consideration the inflammable nature of oil and the enormous loss which would have followed from the destruction of even one of the large wells, like Potrero del Llano or Cerro Azul, the business came off surprisingly well, so far as loss through military operations was concerned. The situation from the standpoint of one of the largest companies was summed up in 1914 as follows:

"During more than three years of internecine strife, carried on in a country rough and wild in its character, sparsely populated, with few railroads and fewer wagon roads, where none were anxious openly to declare allegiance to either contending party, where more or less disorganized bodies of armed men roamed at will, privileged to commit depredations upon those who were suspected of opposing the party to whom they professed allegiance, no attack

was ever made upon your employees or your companies' oil camps. Frequently armed bodies of men invaded your camps, demanding food and money, and taking such arms as they could find, and live stock as they required. Their demeanor toward the camp superintendents was invariably courteous, and no malicious destruction of property was ever indulged in. Even at the time in the latter part of April and during the first half of the month of May of the present year, when the feeling against Americans ran very high in all parts of Mexico, and especially near Tampico, and in the state of Vera Cruz, when it was deemed necessary that all Americans should withdraw from that part of Mexico, which they did, and left the property of oil companies of great value scattered throughout a wide region entirely at the mercy of a people with whom it seemed probable our people might soon be at war, the natural fidelity of the Mexican employee and his friendliness toward your company which had been a friend to him, was amply demonstrated by the care with which he conserved the property left in his charge. Except for the appropriation of horses, mules, automobiles, auto trucks, cattle, etc., as necessary war measures by both armies, no damage was done or permitted to be done to any of your companies' properties. The provisions of every sort, store supplies, small hardware supplies and many other valuable and easily removable articles were entirely unmolested. No act of vandalism was perpetrated against the oil reservoirs, pipe lines, pumping machinery or refineries. The product of your continuously flowing wells was so faithfully conserved by the Mexican employees in charge, that your general manager was able to report that not more than five thousand barrels of oil were lost during the thirty days' absence of your American employees from the properties.'

Along other lines, however, the companies did not fare so favorably. If military chieftains like Candido Aguilar, representing the Carranza government, or Manuel Palaez, the revolutionist, spared the physical properties of the companies, they did not have such tender regard for their purses. When Aguilar occupied the fields of Tampico and Tuxpam in 1914 he exacted a contribution of ten thousand dollars from each of the leading oil companies with which to maintain himself and his army. Shortly after this, Manuel Palaez, one of the interesting figures of the revolution, made himself leader of the small Mexican landholders whose property Aguilar had seized. Successful in his guerrilla warfare, Palaez gradually drove the Carranza forces out of the oil fields, leaving them only in possession of the ports of Tuxpam and Tampico. But Palaez could not operate without money; and the oil companies, now that his forces were in control, could not produce without his permission. Accordingly the companies paid a regular contribution, sometimes estimated as high as one hundred thousand dollars monthly, into the Palaez treasury, receiving in return not only immunity from harm at the hands of his followers, but a police protection of real value.

Besides such contributions as these, which of course were in addition to the regular tax payments made to the government, the companies had other extraordinary items of expense to meet from time to time. The by-products of the revolution were numerous, and not all of them lovely or of good report. Graft, not unknown in Mexico in the days of Porfirio Diaz, became much more prevalent through the weakening of the central gov-

ernment and the unsettling influences of years of warfare. Serious loss was also caused by the almost unrestrained operation of Mexican bandits, many of whom were in league with Carranza officials. The activities of these pests were especially directed against the pay rolls which had to be sent from the companies' offices at Tampico or Tuxpam to the oil fields in the interior. Along with the many thousands of dollars stolen, these bandits piled up a credit of more than a score of American lives by their depredations.

Taxation: While Diaz was president, because of the concessions granted under the general Petroleum Law of 1901 or by special decrees, the oil companies were very lightly taxed. In 1912, however, Madero instituted a new system by which petroleum produced or sold in the republic was laid under a special tax of twenty centavos a metric ton, or about 1.54 cents, U. S. currency, a barrel. In 1913 this tax was increased to seventy-five centavos a ton, but was reduced a few months later to sixty centavos.

The tax remained at this figure until the overthrow of Huerta. Under the Carranza administration the principle of taxation was that of the Irishman in the fight at Donnybrook Fair: "Wherever you see a head, hit it." After issuing various decrees affecting drilling operations and the collection of data relating to the industry, Carranza got down to serious business in the spring of 1917. Oil production was then running over four million barrels per month, with most of the output being marketed abroad. On April 13, the president issued a decree, designed, as the preamble stated, to divert a part of the large profits of the oil companies to the national treasury, to encourage the domestic consumption of oil for fuel purposes by exempting that used in Mexico from taxation, and to penalize waste by subjecting escaping oil to twice the normal tax.

The export duties, payable under the guise of a stamp tax, were fixed at ten per cent ad valorem on crude petroleum and fuel oil. A specific tax was also imposed upon refined products, as follows:

Crude gasoline.....	1 centavo per liter (about 10 pesos per metric ton)
Refined ".....	$\frac{1}{2}$ " " "
Refined petroleum and lubri-	
cants.....	$\frac{1}{4}$ " " "
Asphaltum.....	\$1.50 pesos per ton

The valuation of crude and fuel oil, for the purposes of the tax, was determined, not by its price at the wells or shipping point, but by the quotations of the New York market. This was the chief issue in the dispute between the companies and the government which followed the laying of the tax. In taking the New York (or American) value of the oil as the basis for the impost, the treasury taxed the companies, not only upon their

production costs in Mexico, but also upon their investments for marketing and storing the oil in the United States, and upon the freight and handling charges from Mexico to the American port.

The tax was graduated according to the density of the oil, so that the lighter oil from the Tampico fields paid a higher duty than the heavier Panuco product. A curious provision of the decree required that the tax, payable in Mexican gold, should be subject to a surcharge of one hundred per cent payable in the irredeemable paper currency issued by Carranza, known as Infalsificables. In actual practice this increased the duties sometimes as much as ten per cent. A special levy, known as bar dues, to improve the Tampico harbor was also imposed upon all exports from that port.

At the close of 1920, after some changes in the rates, these various taxes stood at the following figures, according to Mexican estimates, upon shipments out of Tampico. The figures are in cents, American money, per barrel:

Class	Export Tax	Infalsificable	Bar Dues	Total
Light crude.....	18.179	1.817	0.740	20.737
Heavy crude.....	8.603	0.860	0.782	10.245
Fuel oil.....	12.9623	1.296	0.760	15.018
Crude gasoline.....	67.899	6.789	0.597	75.286

In March, 1921, the export duties brought in 2,524,158 pesos in addition to 753,731 pesos in bar dues and infalsificable sur-tax. The export duties were divided between the various companies as follows:

El Aguila.....	\$ 50,000.00
La Corona.....	95,642.04
East Coast.....	7,970.90
Continental Mex. Pet.....	15,228.00
France and Canada.....	20,546.00
Freeport and Mex.....	123,895.00
Huasteca Petroleum.....	865,595.53
Interocean Oil.....	12,368.70
Mexican Gulf.....	362,764.33
The National Oil.....	23,190.00
The National Petroleum.....	18,469.44
New England.....	34,886.00
Pierce Oil Corporation.....	85,682.90
Tal Vez.....	13,758.00
The Texas Co. of Mexico.....	239,338.92
Cia. Transcontinental.....	491,653.17
U. S. Mex. Oil.....	15,757.00
Penn Mexican.....	153,035.79
Ref. del Agwai.....	415,342.35
Cortez Oil Corporation.....	149,383.65
La Atlantica.....	28,547.00
Internacional Petroleum.....	45,408.19
Cia. Metropolitana.....	185,695.33

Total.....\$2,524,158.81

Nationalization: Some months after the tax decree of April 13, an attempt was made to give practical effect to the policy of nationalizing the petroleum industry adopted by the Carranza government in the Querétaro Constitution. To understand this policy one must review briefly the history of legislation affecting oil deposits prior to that time. Before the passage of the mining law of 1884, petroleum, like other minerals, was considered the property of the nation, and did not belong to the owner of the soil; hence the right of exploiting or developing it could be secured only by official permit or concession. The acquisition of such a right was called denouncement. With the passage of the law of 1884, however, oil, coal, and one or two other substances were taken out of the general classification of mineral deposits and made the property of the owner of the soil in which they occurred. They were thus no longer subject to denouncement.

Acting upon the principle laid down in the code of 1884 individuals and companies bought or leased large areas of land in the oil regions after 1900, supposing that titles so acquired carried with them the ownership of petroleum deposits in perpetuity and the right to their development. When, however, the value of these deposits began to be realized, serious discussion arose in Mexico as to whether petroleum should not again be brought under federal ownership. The question was submitted to the Academy of Legislation and Jurisprudence by President Diaz and debated by that body with much vigor and display of rhetoric. But when the Mining Law of 1910 was enacted congress made no change in the classification of petroliferous deposits as given in the law of 1884.

Article 27: The idea of nationalizing the oil lands, however, was not killed by the law of 1910, but grew stronger with the development of the petroleum industry. Even before the Madero revolution a bill had been introduced into the federal congress providing that petroleum deposits, wherever found, should be made subject to denouncement; that the government should grant no further concessions for their development; and that all oil lands should be placed under a special tax. This bill did not become a law; but the government which followed Diaz, committed by the very nature of its success to a program of radical change, was not long in taking up the question of the oil lands. During 1915 and 1916 various decrees were enacted affecting the industry. One of these required the suspension of exploitation or development work until the government should announce its new program. Another appointed a technical commission to secure data by which the executive might formulate a definite policy. Still another required companies or individuals engaged in the industry to furnish the Department of Fomento with elab-

orate data relating to their business. Much of this information, it may be added, though given as confidential, has since been published in the official organ of the department, the *Boletín del Petróleo*. A presidential decree of August 31, 1916, also made an end to state regulations for federal lands and declared those already issued null and void. The Carranza policy was finally set forth in a clause of the famous Article 27 of the Querétaro Constitution. This declared that the ownership of "petroleum, and all hydrocarbons—solid, liquid and gaseous"—was vested directly in the nation, that such ownership was inalienable and could not be lost by prescription.

The holders of oil lands, whether Mexicans, independent operators or large companies, were seriously perturbed by this provision of the constitution. If enforced and made retroactive it took from them all rights of ownership and left them subject to whatever taxes or restrictions an ultra-radical government might impose. For a time, however, there was some question as to the exact meaning of the clause, and especially as to whether the government meant to give practical effect to the provision by positive legislation.

The Querétaro Constitution was signed January 31, 1917. Nothing was done during that year toward enforcing the new oil policy the government had announced. When petitions began to reach the mining agencies, seeking permission to exploit petroleum deposits in keeping with the general mining law, a presidential decree, dated November 15, 1917, ordered that no denunciations should be allowed until regulations covering the new policy had been published.

Supplementary Legislation: Meanwhile the oil companies, though dubious as to the future, continued in full control of their properties. It was not until the early part of 1918 that the idea of nationalization ceased to be a question of legal speculation and became vitalized through legislation. On the 19th of February, an executive decree set forth a schedule of taxes based upon the theory that oil lands, no matter when or how acquired, were the property of the nation, and hence subject to the payment of federal *rentals*. Companies producing on land to which they held title were taxed five pesos per hectare, and a royalty of five per cent. Where wells were on leased lands the government was to receive from ten to thirty-five per cent of the monetary consideration involved in the lease and fifty per cent of the royalties. In both cases the tax was to be deducted from the owner's returns. Where no cash rental was paid, the producer was taxed five pesos per hectare; and if no provision was made for a royalty the government undertook to collect one of five per cent. All royalties were payable in cash or in oil, at the option of the Treasury Department. In the former case, the

price was to be determined by the figures used in levying the export tax (at least twice the value of the oil in Tampico and sometimes much more); and where royalties were paid in oil, the companies were required to provide storage facilities for the government's share until the Treasury could make use of it.

The new law aroused very determined opposition among the petroleum companies, not only because it called for a serious increase of taxes, but because its payment meant an actual surrender of ownership in the oil properties. Mexican landholders were also aroused by the heavy inroads the tax made upon the value of leases, for the decree struck just as directly at the native land owners as at the foreign companies. Both American and English companies protested to their respective governments, and the matter was taken up through diplomatic channels.

On July 13, 1918, a decree was issued by President Carranza describing in detail how denouncements of petroleum deposits could be made. Holders of oil lands were given until August first (the time was afterwards extended) to file the necessary papers to continue in the occupation of their own lands or forfeit them to others by denouncement. Most of the companies refused to comply with the new requirements; and as their position was supported by the American State Department and the British Foreign Office, Carranza was compelled to suspend indefinitely the enforcement of his nationalization plans. No attempt was made to revive these when Obregón came into power, though certain decrees of De La Huerta, while serving as temporary president, caused the oil companies much anxiety.

Aside from political questions, the oil industry faces much the same difficulties in Mexico as in other countries. Climatic conditions add somewhat to its problems and the lack of a domestic market requires relatively larger storage and ocean transportation facilities than would be necessary otherwise.

II. TABLES AND STATISTICS

Oil Fields: The recognized oil fields of Mexico lie in the states of Tamaulipas, San Luis Potosí, Vera Cruz and Tabasco. Some prospecting has also been done in Chihuahua, Chiapas, Oaxaca, Lower California, and elsewhere, and undoubtedly new fields will be opened in these or other parts of the republic. But up to the present time the low, hot Gulf plain, perhaps fifty or sixty miles in width lying between the seacoast and the Sierra Madre Oriental, is the only region where petroleum has been produced in commercial quantities. It is supposed that this strip is oil bearing from the Rio Grande to the Guatemalan border, a distance of nine hundred miles, but only about two hundred and fifty miles of its length have so far been exploited.

While there is, as yet, no unity in the classification of the producing areas, the simplest and best classification arranges

them in three main divisions, namely, the Panuco River region; the Tampico-Tuxpam, or "South Fields"; and the Tehuantepec or Tehuantepec-Tabasco region.

The first of these areas embraces the Ebano field, about 40 miles west of Tampico; the Panuco field, lying south of the Tamesi River some 25 miles from Tampico; and the Topila field, east of the Panuco. The oil from this region has an asphalt base, runs from 10° to 15° Baumé, and is chiefly valuable for fuel purposes.

The Tampico-Tuxpam fields extend from Dos Bocas to Alamo and include the most productive wells in Mexico. The oil is somewhat lighter than the Panuco product. A brief description of each field, taken from the United States Commerce Reports, October 24, 1921, is given below:

Dos Bocas: This is the most northern pool of the area. The first large well was brought in in 1908, with an initial flow, according to its owners, of more than 100,000 barrels daily. After catching fire and running wild for three months the well turned to hot salt water and is not now productive.

Tepetate-Chinampa: This pool has produced more than 100,000,000 barrels of oil, but production is only obtained from this pool at this time by stripping.

Casiano Pool: The famous Juan Casiano Well No. 7 was completed in this pool in 1910, flowing continuously for ten years and producing 85,000,000 barrels of oil. Contrary to a popular belief, this pool is not a part of the Chinampa pool, from which it is separated by volcanic dikes.

Amatlan-Naranjos-Zacamixtle: This district had produced nearly 120,000,000 barrels of oil up to July 1, 1921, at which time it was estimated to contain a reserve of 50,000,000 barrels. Amatlan is being intensely developed by a score of operators, both old-line companies and independents, and will probably not have a long life.

Toteco: This pool was not drilled until early in 1921. The fee title to the pool is held partly by the Huasteca Petroleum Co. The International and Mexican Gulf companies hold leasehold rights on the remainder.

Cerro Azul and Juan Felipe: The most famous well in this area is the Huasteca Petroleum Co.'s No. 4, brought in in 1916, and which has produced 60,000,000 barrels. The Juan Felipe area is held by some authorities to be separate from Cerro Azul, being cut off by a well-defined basalt dike. One well in the Juan Felipe boundaries now shows the extraordinary pressure of 1,080 pounds, and has not been exploited, due to the more convenient location of the Cerro Azul wells belonging to the same American company.

Potrero del Llano and Alazan: The Potrero del Llano well was completed in 1910 and produced 94,000,000 barrels of oil before it went to water in 1918. By strategic drilling and pinching in old wells a considerable production has been developed since 1918 and it is being maintained.

Cerro Viejo: This large property, lying south of Cerro Azul and adjoining Potrero del Llano, is just beginning to be drilled. It belongs to the Huasteca Petroleum Co. and the Aguila Co. Indications point to its overlying a separate pool which, judged by surface indications, will equal any of the larger pools. It contains a small well at a shallow depth which was drilled in 1878. The recent drilling has encountered oil at the 1,600-foot level.

Tierra Blanca and Chapapote Nuñez: This is a noncompetitive pool controlled by the Huasteca Petroleum Co., the first well having been completed in May, 1921, with a potential production of 75,000 barrels per day.

Tanhuijo and Tierra Amarilla: Drilling has been deferred in this district because of the greater production of wells to the west, which produce lighter oils.

Molino Pool: One well has been drilled in this pool at 2,710 feet, producing a heavy, viscous oil of 11° Baumé. While exceptionally heavy, the oil from

this well has been flowed successfully under the well pressure through a pipe line to a pumping station at a distance of twenty kilometers.

Alamo: This pool is controlled by the Penn-Mex Fuel Co. Approximately 35,000,000 barrels of oil have been produced, consisting of two distinct grades. Salt water has seriously invaded the pool and stripping has been resorted to.

Furbrero: This area is located about forty miles southwest of Tuxpam. The oil found is of very high grade, being 24° Baumé, but the yield has not been large and the district is not now producing. Between Alamo and Furbrero are some of the best indications of oil pools in Mexico on lands which are largely taken up by American companies. South of Furbrero, at Pahuatatempa and Vega, are extensive seepages, although no development has yet been undertaken in this region.

The Tehuantepec, or Tehuantepec-Tabasco region, embracing southern Vera Cruz, Chiapas, and Tabasco, though producing a light paraffin oil running as high as thirty-two degrees Baumé, has had a disappointing past. Early in the history of oil development in Mexico it gave promise of great production; but the wells quickly went back, leaving the field apparently exhausted. Of recent months, however, drilling operations in Tabasco have brought in one or two large producers, reviving the hope that the Isthmus may one day become a serious rival of the Tampico fields.

Table I, from the Boletín del Petróleo, and IA, reprinted from U. S. Commerce Reports, show the importance and production of the various fields. The last four given in Table I lie in the Tehuantepec-Tabasco zone.

TABLE I
PRODUCTIVE WELLS IN MEXICO, JANUARY 31, 1921

Fields	Number of Wells	Daily Potencial Production	Capacity of each Field with Respect to Total
		Cubic meters	Per cent
Los Esteros.....	1	4.77	0.0009
San Pedro y Labor (Valles, S.L.P.)	2	2.20	0.0004
Ebano.....	34	2,355.36	0.4461
Panuco.....	164	118,375.04	22.4195
Topila.....	37	11,693.69	2.2147
Tepetate-Chinampa-Amatlan.....	55	308,823.61	58.4892
Zacamixtle.....	3	28,000.00	5.3030
Tuxpam (Hacienda Asuncion)	1		
Cerro Azul.....	1	41,551.38	7.8696
Tierra Amarilla.....	11	282.30	0.0535
Alazan.....	8	2,282.20	0.4322
Potrero del Llano.....	3	174.90	0.0331
San Marcos.....	1	3.18	0.0006
Tanhuijo.....	10	229.18	0.0434
Alamo Molino.....	6	14,118.15	2.6739
Furbero.....	12	59.65	0.0113
Ixhuatlan.....	9	22.62	0.0043
Tecuanapa.....	3	17.50	0.0033
Sarlat.....	2	1.28	0.0003
Caimba.....	4	3.86	0.0007
	367	528,000.87 (=3,321,125.47 Bbls.)	100.0000

TABLE I-A

Number and production of wells in Mexican oil fields

Regions and Fields	Year Discov- ered	Number of Wells—		Production	
		Drilled	Produc- tive	Total	Present Average Daily
Panuco, Topila, and Ebano fields:				<i>Barrels</i>	<i>Barrels</i>
Panuco	1910	218	112	121,000,000	127,000
Topila	1910	75	18	8,539,000	3,500
Ebano	1901	71	38	22,400,000	4,000
Total				151,939,000	134,500
South fields:					
Tepetate and Upper Chinampa	1910	28	17	126,874,000	(a)
Lower Chinampa and Amatlan	1913	89	43	141,566,000	240,000
Zacamixtle	1920	10	8	12,039,000	50,000
Toteco	1921	3	3	1,000,000	30,000
Cerro Azul	1916	6	2	59,002,364	60,000
Potrero del Llano and Alazan	1910	21	11	115,650,000	(a)
Tanhuijo and Tierra Amarilla	1910	39	21	500,000	(b)
Alamo	1913	9	6	35,803,806	15,000
Molino	1917	2	1	11,000	500
Total				492,446,170	395,500
Tehuantepec region	1904	220	54	7,000,000	.....
Miscellaneous				500,000	200
Grand total				651,885,170	530,200

a Salt Water

b Abandoned

Chief Companies: The Mexican oil industry is almost entirely in the hands of foreign corporations, American and British companies together controlling not far from ninety-five per cent of the total exports of the country. Outside of the American companies, the chief properties are those of the famous Royal Dutch-Shell Corporation, which today ranks as one of the two chief oil companies in the world. This company, in which the British government now has more than passing interest, entered the Mexican field shortly after 1910 under the name of the Corona Co., but two years ago it took over the older and larger Mexican Eagle Oil Co., from the Pearson interests, thus obtaining a commanding position in the Mexican industry. A recent estimate fixes its holdings under lease or by fee at two and one-half million acres. In addition, through a concession acquired from Diaz by Lord Cowdray, it has drilling rights on three million acres of federal land, principally in Tabasco, Vera Cruz and Campeche.

Of the American companies, the Mexican Petroleum, with its subsidiaries, controlling over one and a half million acres of the choicest oil land in the republic and owning corresponding large refining, pipe line and ocean going transportation facilities, is the most important. Next comes the Standard Oil group, consisting of the parent organizations (the Standard of New Jersey and the Standard of New York) and some five or six branch companies.

A partial list of the important Mexican companies, with the interests controlling them, is given below. Table II shows their annual exports since 1917.

Huasteca Petroleum.....	Mexican Petroleum
Transcontinental Petroleum.....	Standard Oil
Penn-Mex. Fuel.....	Standard Oil
Magnolia Petroleum.....	Standard Oil
East Coast Oil.....	So. Pac. R. R.
Mexican Gulf.....	Mellon
National Petroleum Corp.....	City Service Co. (Henry L. Dougherty)
Panuco-Boston Oil Co.....	Atlantic Refining Co.
Compania Refinadora del Agwi.....	Atlantic, Gulf & West Indies Co.
Freeport and Mexican Fuel Oil Corp.....	Sinclair Consolidated
Mexican Eagle Oil.....	Royal Dutch-Shell
La Corona Petroleum Corp.....	Royal Dutch-Shell
Tal Vez Oil Co.....	Royal Dutch-Shell
Island Oil and Transport.....	A. B. Leach & Co.

TABLE II

EXPORTS OF MEXICAN PETROLEUM BY COMPANIES, SINCE
JANUARY, 1917, IN BARRELS OF FORTY-TWO
AMERICAN GALLONS

COMPANIES	1917	1918	1919	1920
Standard Oil Company of New York.....				
Standard Oil Company of New Jersey.....	5,035,774	7,645,671	6,970,927	21,502,886
Transcontinental Petroleum Company.....				
Penn. Mex. Fuel Co.....	3,451,226	7,007,833	8,495,047	3,176,963
Cortez Oil Corporation.....		1,935,360	9,096,435	7,960,959
Panuco-Boston Oil Co.....			48,777	385,996
Huasteca Petroleum Co.....	12,236,388	11,000,000	12,651,974	29,280,421
Mexican Eagle Oil Co. (El Aguila).....	8,567,299	8,583,258	12,570,492	17,266,692
La Corona Petroleum Corp....			524,626	2,895,587
Tal Vez Oil Company.....	24,368	98,896	398,889	504,993
The Texas Co.....	1,955,146	1,256,128	6,814,084	12,355,082
Freeport and Mexican Fuel Oil Corp.....	3,626,917	3,939,756	3,753,862	8,300,045
Mexican Gulf Oil Co.....	1,121,236	1,734,191	4,574,520	10,573,622
East Coast Oil Co.....	3,390,939	3,398,459	4,639,513	5,542,820
Island Oil and Transport Corporation.....			6,212,915	12,410,323
Pierce Oil Corp.....	636,469	1,253,133	977,730	2,312,039
Union Oil Company of Calif....	1,622,131	2,002,453		68,811
National Petroleum Corp.....	258,894	543,791	489,159	792,050
New England Fuel Co.....		166,567	218,244	1,126,967
Cochrane and Harper.....			335,571	1,187,915
Interocean Oil Co.....	619,056	492,511	635,296	438,754
Compania Terminal Union.....			293,719	400,094
National Oil Co.....				1,602,134
Compania Refinadora del Agwi (Atlantic Gulf & West Indies Co.).....				6,403,967
Total.....	42,545,843	51,766,116	*80,701,780	146,489,120

*This includes 2,998,491 barrels consumed in the Republic, leaving a total exportation of 77,703,289 barrels.

Boletín del Petróleo, February, 1921.

Production: Within the last few years the increase in production of the Mexican fields has been phenomenal. Table III shows the annual output from 1901 to 1920, together with the relative place Mexico has held in the world's production during that period.

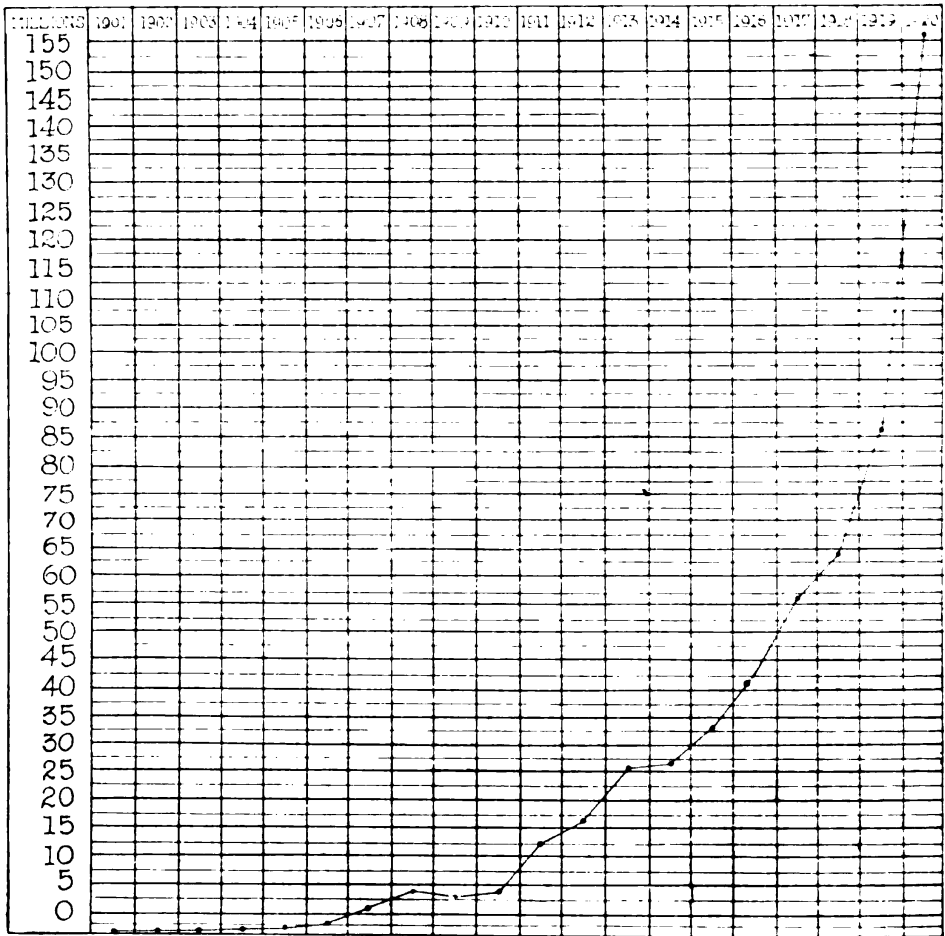
TABLE III
PRODUCTION, 1901-1920

Years	World's Production in Barrels	Mexico's Produc- tion in Barrels	Per cent of World's Total
1901	167,434,434	10,345	0.006
1902	182,006,076	40,200	0.02
1903	194,879,669	75,375	0.04
1904	218,204,391	125,625	0.06
1905	215,292,167	251,250	0.12
1906	213,415,360	502,500	0.23
1907	264,245,419	1,005,000	0.38
1908	285,552,746	3,932,900	1.38
1909	298,616,405	2,713,500	0.91
1910	327,937,629	3,634,080	1.11
1911	344,174,355	12,552,798	3.65
1912	352,446,598	16,558,215	4.70
1913	383,547,399	25,696,291	6.70
1914	403,745,652	26,235,403	6.50
1915	427,740,129	32,910,508	7.69
1916	459,411,737	40,545,712	8.82
1917	508,687,302	55,292,770	10.87
1918	514,729,353	63,828,326	12.40
1919	544,954,066	87,072,954	15.98
1920	687,805,273	156,062,707	22.67
	6,994,826,160	536,523,752	

Potential Output: The actual output of the Mexican wells has never equaled their potential capacity, either because of lack of markets and shipping facilities or because of a desire to conserve the oil supply for a long period of time. In many fields, owing to the large holdings of individual companies, which prevents the feverish exploitation of the oil reservoirs by rival drillers, this form of conservation can be successfully carried out. The case of Casiano No. 7 is an illustration of this advantage. Drilled in 1910, this well flowed without interruption for ten years, yielding a total of nearly ninety million barrels. Potrero del Llano, one of the great wells of the Aguila Company, had a similar record.

The marvelous yield of the Mexican wells is evidenced not only by two or three phenomenal gushers, such as Cerro Azul No. 4 and Potrero del Llano, but by more than a score of other instances. A ten thousand barrel well is almost a commonplace. Out of two hundred and twenty wells in the Tampico region, there were four with a daily capacity of one hundred thousand barrels or more; seventeen that yielded fifty thousand barrels; three of forty

thousand; and eleven that ran between twenty and forty thousand barrels.



Production 1901-1920

Table IV gives the number of wells actually drilled and the official Mexican estimate of their potential capacity.

TABLE IV
PRODUCTIVE WELLS

	Number of Wells	Potential Daily Production Barrels
On December 31, 1919	303	1,806,586.00
On December 31, 1920	361	3,116,200.67
Increase during 1920	58	1,309,614.67
Annual Capacity		1,137,413,000
World Production 1920		687,805,273
Potential Excess of Mexican Wells, actually drilled, over World Supply		449,607,727

Abandoned Wells: In 1920 a number of wells in the Tampico region went to water. This led to much speculation and many unfounded rumors as to the speedy exhaustion of the Mexican fields. Table V shows the number of wells abandoned during 1920 and the reason thereof in each case.

TABLE V

SUMMARY OF WELLS ABANDONED DURING YEAR 1920

FIELDS	Increas- ing Costs	Drained	Water	Unpro- ductive	Total
Panuco.....	5	..	5	9	19
San Jeronimo.....	..	..	1	..	1
Tepetate-Chinampa-Amatlan..	1	2	5	7	15
Total.....	6	2	11	16	35

Boletin del Petroleo, February, 1921.

Depth: The average depth of the wells in the various fields is as follows:

Panuco and Topila.....	700 meters
Tepetate, Chinampa and Amatlan.....	600 "
Potrero del Llano.....	590 "
Cerro Azul.....	534 "
Furbero	700 "
Tehuantepec	300 "
Valles (San Luis Potosí).....	1200 "

Transportation and Storage: Mexican oil must first be brought from the wells to seaboard. This is accomplished chiefly by pipe lines, mostly of eight inch diameter, and pumping stations. A number of the companies have also built short railway lines for the use of tank cars and automobile roads upon which trucks are employed. A large amount of oil is also barged down the Panuco and Tuxpam rivers and on the Tamiahua lagoon.

The chief export centers, where refining and storage facilities exist, are Tampico, Tuxpam, Puerto Lobos (a comparatively new port between Tampico and Tuxpam) and Minititlán, near Puerto Mexico. This last named port is used only by the Mexican Eagle Oil Company, which erected a refinery there in 1907, and at present is of minor importance.

Refineries and topping plants, along with huge storage facilities, have been built at Tampico and Tuxpam. Table VI shows the type and capacity of the tanks and reservoirs in 1919 and 1920. Table VII shows the storage facilities of the various companies; Table VIII the pipe lines; and Table IX the refining facilities.

TABLE VI
STORAGE FACILITIES

	1919		1920	
	No.	Cu. Meters	No.	Cu. Meters*
Steel tanks.....	1,138	4,189,325	1,255	5,007,205
Concrete tanks.....	4	43,718	4	43,718
Earth reservoirs.....	15	3,506,658	15	3,506,658
Concrete reservoirs.....	1	136,740	1	136,740
Total.....	1,158	7,876,441	1,275	8,694,321

*Cu. meter = 6.29 bbls.

TABLE VII
STORAGE FACILITIES BY COMPANIES

COMPANIES	Concrete Tanks and Reservoirs		Steel Tanks	
	Number	Capacity in Cubic Meters	Number	Capacity in Cubic Meters
Freeport & Mex. Fuel Oil Corp.	10	70,274
Transcontinental de Petr�leo..	1	3,180	33	349,760
English Oil Company.....	3	13,514
Tampascas Oil Company.....	1	8,744
National Petroleum Corpora- tion.....	2	17,488
Interocean Oil Company.....	2	17,488
Terminal Union Compania.....	3	23,450
Tal Vez, Compania Petrolera..	1	3,180
National Oil Company.....	4	34,980
Oil Fields of Mexico Company	9	28,303
New England Fuel Oil Com- pany.....	7	61,208
Standard Oil Company (N.J.)..	32	205,798
Cortez Oil Corporation.....	11	96,184
La Corona, Compania de Pe- tr�leo.....	4	108,345	52	403,815
Topila Petroleum Company....	1	5,962
Mexican Gulf Oil Company....	32	202,068
Chijoles Oil Limited.....	2	3,180
Producers Terminal Corpora- tion.....	4	34,976
East Coast Oil Company.....	19	141,098
Arrendadora de Mexico y Boston.....	2	17,488
Texas Company of Mexico....	62	179,401

TABLE VII—Continued
STORAGE FACILITIES BY COMPANIES

COMPANIES	Concrete Tanks and Reservoirs		Steel Tanks	
	Number	Capacity in Cubic Meters	Number	Capacity in Cubic Meters
Mexico Oil Company.....	1	3,180	1	1,032
Mexicana de Combustible, Cia	..	.....	9	37,579
El Aguila, Compania Mexicana	9	3,391,953	453	1,131,143
de Petroleo.....	1	136,740	128	1,033,211
Huasteca Petroleum Company	..	.....	5	12,918
Tampico Oil Limited.....	..	.....	22	178,956
Penn. Mex. Fuel Company....	3	3,968		
Eureka, S. A., Compania Petro-	..	.....	4	26,550
lera.....	..	.....	8	68,952
Panuco Boston Oil Company..	..	.....	272	120,804
Terminal de Lobos, Compania	..	.....	12	101,297
Pierce Oil Corporation.....	..	.....	1	8,744
La Atlantica, Compania Pro-	..	.....	1	5,962
ductora y Refinadora.....	..	.....	2	17,488
Ferrocarril Interoceanico....	..	.....	12	105,028
North America Dredging Co...	..	.....	16	96,098
Cia. de Fomento del Sureste...	..	.....	15	131,160
Compania Metropolitana de	..	.....	1	5,962
Oleoductos.....	..	.....	1	5,962
Compania Mexicana de				
Petroleo.....				
Compania del Agwi.....				
Compania Petrolera Poblana..				
Compania La Meridional.....				

NOTE: In these statistics, tanks and reservoirs of concrete and reservoirs of earth are included under the same classification.

The use of earth reservoirs for permanent petroleum storage is now forbidden.

Boletin del Petroleo, September, 1920. The figures are for Aug. 31, 1920.

TABLE VIII

PIPE LINES*

Companies	Number of Lines	Length	Daily Capacity
			<i>Cubic Meters</i>
El Aguila.....	29	559,175	23,056
Agwi. Cia. de Oleoducto del ..	5	46,614	6,000
Atlántica, La.....	2	4,474	
Cortez.....	6	76,779	10,472
Corona, La.....	5	187,981	9,570
East Coast.....	7	45,472	2,385
Fomento del Sureste ..	1	1,100	
Freeport.....	2	4,448	3,000
Mexican Sinclair.....	8	7,867	3,000
Huasteca.....	10	632,307	29,147
Imperio.....	1	1,213	5,540
Metropolitana.....	8	47,162	5,200
Mexican Oil Co.....	1	2,707	1,590
Mexicana de Combustible.....	2	6,499	2,385
Mexicana de Petroleo.....	1	11,260	138
Mexican Gulf.....	8	225,009	11,057
National Petroleum Corporation.....	4	2,400	
National Oil.....	3	10,985	1,000
New England.....	4	2,796	1,100
Oil Fields of Mexico.....	1	88,950	1,590
Panuco-Boston.....	1	1,380	1,145
Penn-Mex Fuel.....	8	139,602	9,854
Pierce Oil Corporation.....	1	2,463	
Regiones Petroleums Mexicanas.....	1	1,357	4,160
Transcontinental.....	23	193,170	45,691
Texas Co. of Mexico.....	6	53,004	6,911
Standard Oil.....	2	10,123	6,930
Terminal Union.....	2	875	3,000
Tampico Oil.....	1	8,500	318
Terminal de Lobos.....	3	29,754	28,107
Tampascas Oil.....	4	3,230	3,090
English Oil Co.....	1	5,145	3,000
Petrolera Poblana.....	3	882	4,300
Eureka.....	1	1,309	1,111
Arrendadora de Mex y Boston.....	4	408	3,000
Total.....	169	2,416,400	236,847

*From U. S. Commerce Reports, Nov. 7, 1921.

TABLE IX
REFINERIES*

Companies and Location	Daily Capacity	Character of Plant
<i>In Operation</i>		
	<i>Cubic Meters</i>	
Compañía Mexicana de Petroleo El Aguila, S. A., Doña Cecilia	7,000	Complete refinery
Tampamachoco	2,384	Topping plant
Minatitlan	1,920	Complete refinery
Huasteca Petroleum Co., Pueblo Viejo	19,872	Topping plant
Juan Casiano		Casinghead plant
Penn-Mex Fuel Oil Co., Alama		Do.
Pierce Oil Corporation, Arbol Grande	a1,800	Complete refinery
Vera Cruz	80	Do.
Standard Oil Co., Pueblo Viejo	a2,084	Topping plant
The Texas Co. of Mexico, S. A., Las Matillas	1,590	Do.
Agua Dulce	a2,240	Do.
Compañía Productora y Refinadora La Atlántica Mata Redonda	b1,037	Do.
<i>Under Construction</i>		
Compañía Mexicana Refinadora, Island Agua Dulce	c750	Topping plant
Compañía Refinadora del Agwi Tecomate, San Nicolás y Mata Redonda . . . . .	.....	Complete refinery
Continental Mexican Petroleum Co., El Higueurón, lote 52 fracciones 48 y 49 de Pueblo Viejo	c1,590	Do.
Petroleum Maatschappij La Corona, Pueblo Viejo	c795	Do.
Compañía Mexicana de Petróleo El Aguila, S.A., Los Naranjos, lote 160 de Amatlán .	c70	Casinghead plant

*From U. S. Commerce Reports, Nov. 7, 1921.

aCapacity as of August, 1920.

bCapacity as of August, 1920, but probably double at present.

cMinimum daily capacity authorized.

Exports: Only a small fraction of the oil produced in Mexico is consumed there, as may be seen from Table X. The greater part of the Mexican output is exported in the form of crude and fuel oil, topped and refined gasoline, and lubricants.

Of the exported oil, Table XI shows the amount shipped from the three chief ports and the countries to which the shipments went in 1920.

TABLE X

PETROLEUM CONSUMED IN MEXICO DURING YEAR 1920

Crude gasoline.....	14,309
Refined gasoline.....	303,017
Crude kerosene.....	46,315
Refined kerosene.....	213,295
Fuel oil.....	4,306,418
Gas oil.....	43,842
Lubricant oils.....	71,065
Crude paraffine.....	1,148
Refined paraffine.....	41,324
Asphalt	13,767
Cok de petroleo.....	18,810
Total.....	5,073,315

TABLE XI

Shipments of Mexican petroleum from the ports of Tampico,
Tuxpam and Puerto Lobos, in barrels of forty-two
American gallons.

	1920	
	Exports	Per Cent
From Tampico.....	89,909,213	58.7
From Tuxpam.....	18,786,904	12.2
From Puerto Lobos.....	44,579,183	29.1
	153,275,300	100.0
Destination		
United States.....	112,373,795	73.3
Canada.....	2,010,958	1.3
South America.....	13,087,007	8.5
Central America.....	593,252	0.4
West Indies.....	5,754,903	3.8
Great Britain.....	5,493,533	3.7
Norway.....	1,101,448	0.7
France.....	579,496	0.4
Portugal.....	107,341	0.1
Ports on the Mediterranean.....	159,130	0.1
Gibraltar.....	144,624	0.1
Malta.....	41,952	0.0
Tunis.....	58,433	0.0
Egypt.....	463,179	0.3
Algiers.....	60,538	0.0
Italy.....	101,729	0.1
Suez.....	132,630	0.1
Mexico (coasting trade).....	6,070,439	3.9
Fuel for Ships.....	4,895,265	3.2
Local deliveries.....	45,648	0.0
	153,275,300	100.0

*Exports from Minititlán amounted to approximately 2,300,000 barrels.
Boletín del Petróleo, February, 1921.

TABLE XII

SHIPMENTS OF MEXICAN PETROLEUM TO THE UNITED STATES
IN 1920

	1920	
	Exports	Per Cent
Texas ports.....	30,941,986	27.5
New Orleans.....	14,824,281	13.1
Florida ports.....	6,087,332	5.4
New York.....	48,626,183	43.3
New England ports.....	11,098,771	9.9
California.....	795,242	0.8
Total.....	112,373,795*	100.0

*Later figures reduce this total to 108,783,000.

POSITION OF THE INDUSTRY IN 1921

Rapid Expansion: The change from Carranza to Obregón, after the ad interim rule of De La Huerta, brought the promise of better things for the oil industry. In the first five months of 1921 forty-two new wells were drilled, with a daily output of 829,000 barrels. Important developments were made in the Amatlan district and in the Tierra Blanca field north of the Tuxpam river. A new oil-bearing area, known as the Lacalulu district, was opened up in the southeastern corner of the state of San Luis Potosí; and exploitation was also pushed in what is known as the Cobus field southwest of Tuxpam. The promise of large scale production in Tabasco has already been mentioned.

The total output of the various fields for the first six months of 1921 was as follows:

Month	Bbls.	Month	Bbls.
January	16,240,623	April	18,614,790
February	15,063,864	May	(Estimated) 16,700,000
March	16,240,623	June	17,591,972

After the middle of the year the industry met with a series of misfortunes. The lower price of oil in the world's markets of course affected the companies operating in Mexico. A disastrous fire in the Amatlan district threatened for a time to duplicate the Dos Bocas catastrophe of a decade before. The appearance of salt water in the Zacamixtle-Chinampa-Tepetate fields marked the end of a number of large producers and furnished material for vastly exaggerated rumors and a successful bear raid on the Mexican oil stocks.

As a general thing it may be said that the exhaustion of fields in the large producing zones of Mexico occurs only after years of uninterrupted production, as in the case of Casiano, or where small-sized holdings, such as exist in Zacamixtle, Tepetate, Chi-

nampa, and Amatlan encourage indiscriminate drilling and consequent early exhaustion.*

The most serious blow, however, came from the Mexican government in the form of a presidential decree increasing the export tax on oil by twenty-five per cent. The text of this decree, as published in the Mexican Review for August, 1921, is printed below.

DECREE

Article 1. Crude oil of national production and its derivatives, and the gas from the wells, will be subject to a special tax according to the provisions of this decree.

Art. 2. For the purposes of this law, crude oil is the natural product as it flows from the wells or springs.

If the crude oil contains more than 1 per cent of water and sediment, at the time of estimating the tax, the percentage in excess of 1 per cent mentioned will be deducted from the total weight.

Refined oils include all the products, liquid or solid, obtained from the crude oil, whatever process is employed, whether mechanical, physical or chemical, in the separation of one or more substances of which the original product is composed. The separation of water contained in the oil is excepted, provided it is not separated through the use of heat.

Gasoline and kerosene are the distilled products, which have not been submitted to a treatment of re-distillation or purification with acids or alkalis.

Refined gasoline and refined kerosene are the products derived from re-distillation and purification.

Fuel oil is the liquid product derived from crude oil from which the gasoline and part or all of the kerosene have been separated in order to lessen its degree of inflammability.

For the purposes of this law, gas oil will be considered as a fuel oil.

Natural gas is the mixture of hydrocarbons in a gaseous state which flows from an oil field.

Art. 3. Crude oil and its derivatives, and the gas from the wells, will be taxed according to the following:

TARIFF

Crude oil of a density of 0.965 or greater, 10 per cent of its value.

Crude oil of a density of 0.93, 10 per cent of its value.

Fuel oil of a density of 0.95, 10 per cent of its value.

Refined kerosene, 3 per cent of its value.

Crude kerosene, 6 per cent of the value of refined kerosene.

Refined gasoline, 3 per cent of its value.

Crude gasoline, 6 per cent of the value of refined gasoline.

Gas, \$0.01 for every 20 cubic meters.

Lubricants, \$2.50 per cubic meter.

Paraffine, \$2.00 per cubic meter.

Asphalt, \$0.25 per ton.

*The following paragraph from Roy H. Flamm, Expert of the Department of Commerce, (U. S.) on the Petroleum Industry in Mexico, clears up much of the mooted "salt water" question:

"No salt water has yet appeared in the Cerro Azul and Toteco fields. In all other fields some of the wells have been damaged or destroyed by the encroachment of salt water. An unwarranted impression as to the significance of the invasion of salt water in the various Mexican fields has recently been created by articles appearing in the press. The wells now producing oil in Mexico are doing so under a great hydrostatic pressure, the flow of oil continuing until exhausted, and the salt water then following the oil to the surface. The 'salt-water menace,' so called, does not usually appear until after vast quantities of oil have been taken from a pool, and the exhaustion of one pool has no more bearing on an unconnected virgin pool than does the exhaustion of a sector in the United States condemn a sector not yet developed."

The rates on fuel oil of a density other than 0.95 will be determined taking as a basis the rates on oil of that density, plus 8.2 per cent for every one-hundredth below, or minus the same percentage for every one-hundredth above the basic density.

The rates on crude oil of a density other than 0.93 will be determined in the same way as for fuel oil.

Art. 4. To determine the value of crude oil and its derivatives to which the above tariff refers, the cubic meter will be taken as a basic unit measure at a temperature of 20 degrees centigrade, except in the case of paraffine and asphalt, on which the tax will be fixed per net ton.

Art. 5. To determine the value of crude oil, fuel oil, gasoline and kerosene, on which taxes are to be fixed, the Department of Finance will take as a basis the average of the prices of similar products in the United States of America during the previous month, issuing to that effect a tariff within the first fifteen days of every month.

Art. 6. Crude oil and its derivatives, and the gas from the wells, which go to waste through carelessness or failure to observe the legal regulations, will be subject to twice the amount of the regular tax.

Art. 7. For the determination and payment of the taxes on oil, the interested parties will file their statements in accordance with the respective regulations.

Art. 8. The taxes established by this decree shall be paid for the elapsed month during the first twenty-two days of the following month, and said payment shall necessarily be made in national gold coin.

Art. 9. The following are exempted from the taxes established by this decree:

A. Crude oil of national production used in any form within the country.

B. Products derived from crude oil of national production, whatever their denomination or physical state may be, which are used in any form within the country, provided they have been refined in national refineries.

C. Crude oil for the use of steamships of national register.

D. Samples of any kind of crude or fuel oil, gasoline, kerosene, gas oil, lubricants, paraffine or asphalt, provided their value is not in excess of ten pesos. The value of the samples will be determined according to the rates fixed by the Department of Finance and Public Credit every month.

TRANSITORY

Article 1. The decrees of April 13, 1917, October 16, 1917, and December 29, 1919, are hereby abrogated.

Art. 2. This decree will become in effect on July 1, 1921.

The leading American companies protested against this decree on the ground that it amounted to virtual confiscation. In support of this position the Standard of New Jersey published the following table of operating costs, which fairly represented the producers' side of the issue:

Average value of a barrel of light crude in the United States.....	\$1.30
Actual operating costs for four months in 1921, excluding depreciation and depletion, per barrel.....	0.31
Royalty	0.05
Average cost of transportation to various points in the United States.	0.43
Taxes under decrees of May 24 and June 7.....	0.36
Total.....	\$1.15

The following table gives the Mexican estimate of the new tax rate on the various petroleum products:

Kind of Petroleum	Sp. Gr.	Beaumé	Old Tax.	New Tax.	Total per Bbl.
	20°/4—C.	60/60—F.	Dls. per Bbl.	Dls. per Bbl.	
Light Crude.....	.924	20.9	0.1568	0.1987	0.3555
Heavy Crude.....	.981	12.1	0.0899	0.1232	0.2121
Fuel Oil.....	.956	15.8	0.1377	0.1589	0.2966
Gas Oil.....	.893	26.1	0.2906	0.3688	0.6594
Crude Gasoline.....	.734	61.5	0.6319	0.7472	1.3791
Refined Gasoline.....	.724	63.0	0.3338	0.3752	0.7090
Refined Kerosene.....	.798	45.2	0.1171	0.1192	0.2363

When the government refused to repeal the new rates, the companies prepared to stop the export of oil. On July 1, the day the decree became effective, most of the American tankers were withdrawn from the Mexican service, leaving the industry in a paralyzed condition, except as the Aguila Company and other Dutch-Shell interests for a time refused to follow the American lead, and increased rather than diminished their shipments. Even so, the following table shows how seriously the new tax affected the industry:

Exports—Barrels

June	17,591,972
July	6,357,000

Both the Mexican government and the oil companies were so injured by this reduction of exports that after a deadlock lasting nearly two months, negotiations were begun to secure a resumption of shipments. The detailed results of the agreement finally arrived at have not as yet been made public; but it is known that the tax was somewhat reduced and that the companies resumed activities in September.* The month's output was 16,544,694 barrels.

Shortly after the tax controversy was adjusted, a decision of the Mexican Supreme Court, rendered in an *amparo* suit brought by the Texas Company, declared that the provisions of Article 27 of the Querétaro Constitution, under which Carranza had attempted to nationalize the oil lands, could not be given a retroactive interpretation. This decision was generally taken by the press in the United States to mean the final settlement of the long controversy over the nationalization program, but more recent expressions from the Department of State indicate that the decision was not sufficient to close the issue. Until this question is definitely set at rest, the petroleum industry in Mexico will not find a satisfactory or an assured foundation.

*According to published, but unofficial statements, the tax under the compromise was fixed at 17 cents per bbl. on fuel oil and 20 cents on crude.

SECTION VI—PUBLIC FINANCES, CURRENCY AND BANKING

THE FEDERAL BUDGET

Prior to the prosperous era of the Diaz régime, the national finances of Mexico were in a state of chronic confusion; but under the skillful control of José Limantour, Secretary of Hacienda for many years, the federal budget was placed upon a sound basis and the national credit brought for the first time to a position where it commanded respect and confidence.

Until Madero's time the government revenue came chiefly from mining taxes, export duties, tariffs on imports, a variety of stamp taxes, a sur-charge of 20 per cent on the taxes laid by the states, and from special taxes paid by the territories and the Federal District directly into the national treasury.

During the year 1907-8, to cite a typical illustration of the budget items under Limantour, appropriations for the various Departments were made on the following percentage basis:

Legislative 1.3; Executive 0.3; Judiciary 0.68; Foreign Relations 2.00; Interior (various branches) 13.89; Justice 1.55; Public Instruction 6.36; Fomento, Colonization and Industry 2.13; Communications and Public Works 15.61; Finance and Public Credit 37.33; War and Marine 18.84.

The following table shows the revenues and expenditures for the decade from 1901 to 1911. The figures given are in pesos and rounded.

TABLE I

Fiscal Year	Receipts	Disbursements
1901-2.....	66,774,000	63,081,000
1902-3.....	76,621,000	68,223,000
1903-4.....	87,003,000	76,382,000
1904-5.....	92,666,000	79,153,000
1905-6.....	102,753,000	79,467,000
1906-7.....	115,027,000	85,077,000
1907-8.....	111,811,000	93,177,000
1908-9.....	98,776,000	92,967,000
1909-0.....	106,328,000	95,029,000
1910-1.....	111,142,000	100,914,000

Table II gives the chief sources of the government's revenue for the fiscal year 1909-10 and the principal expenditures:

TABLE II

RECEIPTS		Pesos
Import duties.....	46,567,000	
Export duties.....	501,000	
Special port dues.....	1,098,000	
Consular fees.....	1,107,000	
Federal District and Territories.....	11,885,000	
Post office.....	4,660,000	
Telegraph lines.....	2,167,000	
Government industries and lottery.....	4,709,000	
Stamp taxes.....	33,246,000	

DISBURSEMENTS		Pesos
Legislative.....	1,395,000	
Executive.....	243,000	
Judiciary.....	589,000	
Department of Foreign Relations.....	2,148,000	
Department of the Interior		
Administrative Expenses.....	1,002,000	
Public Health.....	515,000	
Rural Police.....	1,789,000	
Federal District.....	8,543,000	
Federal Territories.....	380,000	
Department of Justice.....	1,547,000	
Department of Public Instruction.....	6,605,000	
Department of Fomento, Colonization and Industry.....	2,656,000	
Department of Communications and Public Works.....	13,339,460	
Department of Finance and Public Credit.....	25,100,000	
Department of War and Marine.....	19,180,100	

Following Madero's ascendancy, financial conditions again became as normally chaotic as they had been before Diaz came into power. The treasury was drained of its funds to meet the extraordinary demands of the various revolutionary governments, and because these demands had little to do with the nation's welfare, legitimate needs of the government suffered acutely.

During a large part of the Carranza régime the government's revenue was greater than it had ever been before. However, despite this condition, expenditures for education and public works were curtailed, the National Railways were allowed to deteriorate from year to year, and interest on the public debt was wholly suspended. An increase of revenue was accomplished by raising the export duties on such important products as minerals, henequen, and chicle; by increasing the sur-charge on state taxes to 60 per cent; by laying a new mining tax; and especially by resorting to a lucrative export duty upon petroleum. The large increase in Mexico's foreign trade, both exports and imports, brought about by the world war, coupled with Carranza's heavier imposts, materially aided this fiscal program.

It is to be regretted that the statistics of Mexican public finance since Madero's overthrow are fragmentary and unreliable. Since Carranza's inauguration, the Federal Budget has been fixed by presidential decree. For the year 1918 the estimated receipts and expenditures were as follows:

TABLE III

RECEIPTS

Taxes on foreign commerce.....	p.	33,000,000.00
Consular fees.....		2,300,000.00

INTERIOR TAXES IMPOSED IN THE ENTIRE FEDERATION

Receipts from the Stamp Tax.....	p.	57,500,000.00
Taxes on smelting, refining and assaying...		71,000.00
Minting and Stamp Tax.....	1,300,000.00	p. 58,871,000.00

INTERIOR TAXES IMPOSED ONLY IN THE FEDERAL DISTRICT AND TERRITORIES

Package Taxes in Lower California; Tax, 6 per 1000 on metallurgical establishments	10,000.00	p.	10,000.00
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PUBLIC SERVICES

Post office receipts	p.	3,700,000.00	
Telegraph receipts		3,650,000.00	
Dock yard receipts		11,000.00	
Receipts from establishments sustained by the government		19,000.00	p. 7,380,000.00

RECEIPTS FROM NATIONAL REAL PROPERTY

Receipts from rentals of national and free lands.....	p.	15,000.00	
Receipts from sales of real estate.....		16,000.00	
Receipts from permits to occupy Federal zone		100,000.00	
Receipts from rental or exploitation of real property of the federation.....		100,000.00	p. 231,000.00

RECEIPTS AND INCOMES—VARIOUS

Compensation account intervention costs...p.	600,000.00
Net receipts from operation of national rail- way property.....	120,000.00
Premium on transfer of funds.....	25,000.00
Fines.....	100,000.00
Net receipts from publications made by the Government.....	3,000.00
Various incomes not specified.....	280,000.00
Unclaimed property.....	400,000.00
Repayment of balances.....	100,000.00
	p. 1,628,000.00

Total.....	p.	103,420,000.00
Additional taxes of one peso "infalsificable" paper, as per decree of May 29, 1917....	p.	43,000,000.00
	p.	43,000,000.00

TABLE III—Continued

EXPENDITURES

	Pesos
Legislative Power.....	2,733,095.75
Executive Power.....	354,362.45
Judicial Power.....	870,704.00
Ministry of State.....	3,907,076.00
Ministry of the Treasury.....	13,325,375.90
Ministry of War.....	129,000,000.00
Ministry of Communications.....	16,487,747.20
Ministry of Fomento.....	3,895,000.00
Ministry of Industry.....	2,517,000.00
Judicial Department.....	326,736.00
University Department.....	2,500,000.00
Public Health Department.....	2,607,329.75
Government of the District.....	
Total.....	178,524,427.05

TABLE IV

ESTIMATED EXPENDITURES, 1919

	Pesos
Legislative Power.....	3,090,676.25
Executive Power.....	1,163,600.50
Judicial Power.....	1,663,817.50
Department of Government.....	1,409,696.25
Department of Foreign Relations.....	3,560,634.50
Department of Treasury and Public Credit.....	18,261,483.90
Department of War and Navy.....	114,226,660.25
Department of Agriculture and Fomento.....	6,206,060.25
Department of Communications and Public Works.....	23,438,410.01
Department of Industry, Commerce and Labor.....	2,387,594.25
Bureau of University and Fine Arts.....	1,782,693.75
Bureau of Public Health.....	1,987,491.50
Bureau of General Supplies.....	1,224,810.75
Bureau of the Comptroller.....	2,670,784.50
Bureau of Manufacturing Establishments and Military Supplies.....	19,851,056.82
Office of the Attorney General.....	556,093.50
Total.....	203,481,564.48

TABLE V

ESTIMATED RECEIPTS, 1920

	Pesos
Import duties	40,000,000.00
Export duties	8,000,000.00
Transit charges	36,000.00
Tonnage fees	450,000.00
Loading and unloading charges	275,000.00
Charges on interior maritime traffic	60,000.00
Port fees	1,700,000.00
Storage charges	150,000.00
Clearage fees	3,500.00
Inspection fees	500,000.00
Pilot charges	180,000.00
Sanitary fees	150,000.00
Consular fees	6,500,000.00
Common stamps	15,500,000.00
*Federal Tax	32,000,000.00
Alcoholic beverages	8,000,000.00
Tobaccos	5,000,000.00
Woven and spun goods	3,600,000.00
Tax on petroleum lands .....	.....
Sealed bottles	1,000,000.00
Electric light and power	1,200,000.00
Matches	400,000.00
Telephones	200,000.00
Inheritances	500,000.00
Mortgages	350,000.00
Private charity	25,000.00
Weights and measures	20,000.00
Patents and trade marks	20,000.00
Gold, silver and industrial metals	16,000,000.00
Mines	2,300,000.00
Petroleum	12,000,000.00
Smelting, minting and assaying	500,000.00
Waters	400,000.00
Mails	5,000,000.00
Telegraphs	4,000,000.00
Arsenals and dikes	10,000.00
Government establishments	10,000.00
Rental of National lands	100,000.00
Rental and exploitation of the real estate of the federation . . .	100,000.00
Miscellaneous revenues	769,000.00
Total of Probable Revenues	167,008,500.00

Owing to the large increase of exports and general business revival due to the post-war boom, the actual receipts of the government for the fiscal year 1920 came to 251,417,393 pesos, instead of the 167,008,500 provided for in the budget, or an excess of 84,408,893 pesos over the estimated income. Actual expenditures during the same year were 212,899,886 pesos.

*The Federal Tax is a sur-tax of 50 per cent on all taxes collected by States, Territories, Federal District and Municipalities as prescribed in the law of June 1, 1906.

The following tentative estimate of expenditures for 1921 was presented by the Department of Hacienda to the Chamber of Deputies in November, 1920. These figures were afterwards revised to some extent, and it is too early to say how closely the estimated totals will agree with the actual receipts and disbursements.

TABLE VI

ESTIMATED EXPENDITURES, 1921

	Pesos
Legislative Power.....	4,998,444.50
Executive Power.....	728,276.50
Judicial Power.....	2,080,221.50
Department of Gobernación.....	1,851,250.00
Department of Foreign Affairs.....	6,279,387.50
Department of Hacienda.....	36,475,690.00
Department of War.....	181,216,063.30
Department of Agriculture.....	21,345,475.00
Department of Communications.....	28,736,953.76
Department of Industry and Commerce.....	5,623,904.00
National University.....	2,800,000.00
Bureau of Public Health.....	2,100,000.00
Bureau of General Supplies.....	1,000,000.00
Army Manufacturing and Supplies Bureau.....	22,000,000.00
Office of the Comptroller-General.....	2,600,000.00
Office of the Attorney-General.....	1,300,000.00
Total Estimated Expenditures.....	271,135,666.06
Total Estimated Revenues.....	276,966,934.67

Recent advices from Mexico place the tentative budget for 1922 at 250,000,000 pesos. The War Department is seeking an appropriation of 100,000,000 pesos and the newly established Department of Instruction requests 50,000,000. It is supposed that these and the estimates of other Departments will be materially reduced.

NATIONAL DEBT

Published figures of the National Debt of Mexico vary greatly. The following table from Thomas R. Lill, *The National Debt of Mexico*, is considered authentic for the items included. It does not take into account, however, the very large amounts the government will be called upon to pay in satisfaction of damages arising out of revolutionary conditions, or of various other obligations incurred during the troubled period from 1912 to 1920.

Title	Amount Outstanding Dec. 31, 1918	Accrued Interest to Dec. 31, 1918	Total
	Pesos	Pesos	Pesos
3% Consolidated Interior Debt of 1886.....	42,383,850	6,357,577	48,741,427
5% Interior Debt of 1894.....	92,911,700	23,227,925	116,139,625
5% Municipal Loan of 1899.....	13,525,816	3,381,454	16,907,270
5% Consolidated Debt of 1899....	97,206,828	23,086,619	120,293,447
5% State of Vera Cruz, 1901.....	831,200	207,800	1,039,000
5% State of Tamaulipas.....	741,500	185,375	926,875
4% Gold Loan of 1904.....	74,312,800	14,862,560	89,175,360
5% State of Sinaloa, 1906.....	466,700	116,675	583,375
5% State of Tamaulipas, 1906....	796,600	199,150	995,750
5% State of Vera Cruz, 1906.....	664,000	166,000	830,000
4% Gold Loan of 1910.....	101,898,806	20,379,761	122,278,567
6% Treasury Notes of 1913.....	166,387,901	54,908,000	221,295,901
6% Treasury Notes of 1914.....	21,241,176	5,735,117	26,976,293
Vera Cruz Bonds, 1917.....	2,942,885	.....	2,942,885
Vera Cruz Bonds awaiting issue...	582,685	.....	582,685
Bank Loans.....	53,155,734	3,300,000	56,455,734
Due employees for part salaries...	25,000,000.	.....	25,000,000
Interest on Railroad Bonds guaranteed.....	.....	9,134,743	9,134,743
Interest on Bonds of Caja de Prestamos, guaranteed.....	.....	5,643,661	5,643,661
	695,050,181	*170,892,417	* 865,942,598

* To bring these figures to date, the interest accruing after Dec. 31, 1918, must be added.

† The Mexican Minister of Finance published the following figures, as of June 30, 1921. The Lill figures are far more trustworthy.

	Pesos
Foreign debt.....	380,333,625
Interior debt.....	181,850,900
Interest on state debts guaranteed by Federal Government.....	1,341,992
Total.....	563,526,517

The annual revenues of Mexico today are roughly estimated at 250,000,000 pesos. With this sum, by strict economy and the drastic reduction of military expenditures, the government should be able to resume interest payments on its bonds. A revival of general business and the increase of oil, mineral and henequen exports would materially aid such a program. Various attempts have been made to secure the aid of American banking houses in refunding the national debt; but it is generally agreed that recognition of Obregón by the United States must precede any large refinancing of the Mexican government by foreign loans.

Lill, *The National Debt of Mexico*, and Walter F. McCaleb, *The Public Finances of Mexico*, are the most valuable authorities in English on the subject of the Mexican debt.

CURRENCY

On March 25, 1905, the gold standard was definitely put into effect in Mexico. The peso (100 centavos) is the unit of value and equals \$0.498 United States currency. The coins are 20, 10, 5, 2½ and 2 pesos (gold); 1 peso, 50, 20 and 10 centavos (silver); 20, 10, 5, 2, and 1 centavos (bronze).

During one period of the revolution, metallic currency almost disappeared from circulation, owing to the flood of paper currency which overflowed the country from the time of Madero onward. Besides the earlier issues of this fiat money and the bills circulated by local military chiefs, the Carranza government put out four distinct issues of itself, the most noteworthy of which were the so-called Veracruzanos, and Infalsificables. The latter, issued after Carranza was firmly entrenched in power, were designed to supplant the government paper currency already outstanding. They were issued to the extent of about 500,000,000 pesos and made legal tender, with an assigned value of 20 centavos for each infalsificable peso.

This fictitious value, however, could not long be sustained, and the infalsificable currency soon became almost worthless. In November, 1916, gold and silver were declared the only legal tender; but some six months later a new decree required that an infalsificable peso should be returned for each peso in gold given in payment of certain taxes, chiefly export and import duties, and stamp taxes on metals and oil. The object of this decree was to recall the infalsificable currency into the treasury where it could be destroyed. The decree is still in effect.

Owing to the depreciation of paper currency and the insufficient supply of gold and silver, the government next restricted the export of silver and totally prohibited that of gold.* After vainly seeking to supply the country's needs in this fashion, Carranza was at last forced to permit the use of American currency in commercial transactions and to accept it in payment of government taxes.

While all forms of business have suffered because of this scarcity of money, Mexico has at least freed herself from the ills faced today by so many of the European governments because of their depreciated paper currency. The nation is almost entirely on a metallic basis. In order to increase the supply of currency the government set about purchasing all the silver presented at the mint for immediate coinage. Obregón has also (July, 1921) prohibited the use of American money, except gold, throughout the republic. Whether this is a wise step is questionable. At the present time the currency is dangerously inelastic, and a remedy cannot be found until the banking system of the country is rehabilitated.

*Except under bond guaranteeing re-importation of an equal amount.

BANKS AND BANKING

Prior to the revolution of 1910 the banking system of Mexico comprised three types of banks, namely banks of emission, or commercial banks; mortgage banks, issuing bonds to cover loans on real estate; and auxiliary or promotion banks (bancos refaccionarios) designed to encourage mining, agriculture, and industrial enterprises. In 1914 the most important of these were as follows:¹

Banks	Total Resources
De Emission:	Pesos
Nacional de Mexico	218,847,760
De Londres y Mexico	191,045,000
Oriental de Mexico	72,006,539
Peninsular Mexicano	27,764,405
De Jalisco	15,317,688
Minero	24,997,477
Mercantil de Vera Cruz	23,271,153
De Guanajuato	10,123,966
Mercantil de Monterey	14,713,778
De Tamaulipas	15,419,577
De Nuevo Leon	14,731,784
De Durango	16,212,844
De Coahuila	16,658,743
De Sonora	13,299,881
Occidental de Mexico	7,389,884
Del Estado de Mexico	9,665,348
De San Luis Potosi	10,276,616
De Hidalgo	6,820,457
De Tabasco	4,430,504
De Morelos	3,284,403
De Queretaro	3,899,620
De Zacatecas	6,519,348
De Aguascalientes	2,986,439
De Guerrero	1,863,163
	<hr/>
	781,546,377
Auxiliaries or Refaccionarios:	
Central Mexicano	105,460,381
Comercio e Industria (German)	40,097,600
De la Laguna	15,083,330
Espanol Refaccionario	4,993,017
Comercial Refaccionario	1,937,021
	<hr/>
	167,571,349
Mortgage Banks or Hipotecarios:	
Hipotecario de Cred. Terr.	41,198,369
Intern. e Hipotecario	51,630,420
Hipotecario y Agricultura	2,224,463
	<hr/>
	95,053,252

¹From McCaleb, Present and Past Banking in Mexico.

LIABILITIES

De Emision:	
Nacional de Mexico.....	218,847,763
De Londres y Mexico.....	191,045,003
Oriental de Mexico.....	72,006,543
Peninsular Mexicano.....	27,764,406
De Jalisco.....	15,317,689
Minero.....	24,997,480
Mercantil de Vera Cruz.....	23,271,156
De Guanajuato.....	10,123,965
Mercantil de Monterey.....	14,713,779
De Tamaulipas.....	15,419,577
De Nuevo Leon.....	14,731,784
De Durango.....	16,212,848
De Coahuila.....	16,648,745
De Sonora.....	13,299,885
Occidental de Mexico.....	7,389,884
Del Estado de Mexico.....	9,665,349
De San Luis Potosi.....	10,276,619
De Hidalgo.....	6,820,459
De Tabasco.....	4,430,507
De Morelos.....	3,284,404
De Queretaro.....	3,899,623
De Zacatecas.....	6,519,351
De Aguascalientes.....	2,986,441
De Guerrero.....	1,863,165
	<hr/>
	731,546,425
Auxiliaries or Refaccionarios:	
Central Mexicano.....	105,460,386
Com. e Industria.....	40,097,603
De la Laguna.....	15,083,331
Espanol Refaccionario.....	4,993,019
Comercial Refaccionario.....	1,937,020
	<hr/>
	167,571,359
Mortgage Banks or Hipotecarios:	
Hipotecario de Cred.....	41,198,372
Intern. e Hipotecario.....	51,630,422
Hip. y Agr. del Pacifico.....	2,224,464
	<hr/>
	95,053,258

From 1914 to 1918 the banks of emission were forced into liquidation by Carranza, and their funds sequestrated by the government. In their place Carranza proposed to establish a single bank of issue, called the Bank of the Mexican Republic. This bank was to have a capital of 200,000,000 pesos, half of which should be furnished by the government. It was to be located in Mexico City, with branches throughout the republic. Carranza's banking program, however, was never carried out; and though various other expedients were proposed before his overthrow, nothing was actually done to repair the ruin suffered by the banking system.

Though materially injured by the Carranza policy, the foreign banks in Mexico escaped more easily than those operating under distinctly Mexican concessions. Chief of these foreign banks located in the capital are the following:

Compañía Bancaria de Paris y Mexico, Deutsche Sudamerikanische, El Desceunto Español, the Mexico City Banking Company, Lacaud & Son, the Bank of Montreal, the Canadian Bank of Commerce, American Foreign Banking Corporation, and the Mercantile Banking Company. The National City Bank, Equitable Trust Company, and Irving National Bank (all of New York) also maintain representatives in Mexico City. Besides these foreign banks in the capital, there are two American Banks in Tampico and one or more in other cities. Nearly all of the larger banks in the capital also maintain branches, correspondents, or representatives in the important commercial and industrial centers of the republic.

Although financial conditions in the early part of 1921 caused considerable embarrassment to several banks, the friendly attitude assumed by Obregón toward the re-opening of the banks closed by Carranza led to a pronounced revival of banking activities throughout the country. A number of the older concerns re-opened, and several new banks were established. The following presidential decree fixed the terms upon which the banks of issue might resume business.*

CHAPTER I

Article 1.—The Banks declared in liquidation, by reason of the decree of the 14th of December, 1916, will recover their legal capacity and will be returned to their legal representatives according to the terms and conditions of the present law.

Article 2.—The legal representatives of the Banks referred to above who wish to profit from this law must, within thirty days following the issuing of this decree, present a written request to the Treasury Department accompanied by the documents which show that its Board of Directors has been legally constituted and its Manager or Director appointed in accord with the provisions of the Commercial Code and the Charter of the Bank and its provisions.

Article 3.—The period of thirty days referred to above may be increased by the Treasury Department to ninety days for those Banks whose Boards of Directors are not legally constituted according to the information of the said Treasury Department.

Article 4.—Within the thirty days following the receipt of the written request above referred to, the Treasury Department will advise the petitioner as to the class in which the Bank will be included according to Article 5. This period can be increased to ninety days, if within the first thirty days no agreement is reached concerning the classification by the petitioner and the Treasury Department, which must be in accord with provisions of said Article 5. The petitioner will be permitted to freely examine the books, property, correspondence, and documents of the Bank.

Article 5.—For the purposes of this law, the Banks referred to in Article 1 will be classified under one of the following groups:

(a)—Banks whose assets exceed their liabilities at least 10% (ten per cent).

(b)—Banks whose assets exceed their liabilities more than 10% (ten per cent).

(c)—Banks whose assets are not sufficient to cover their liabilities.

Article 6.—When the classification has been made, the Treasury Department will issue the necessary administrative measures for the return

*As published in *Mexico, Financial and Commercial*, Vol. I, No. 11.

of the institutions intervened which may have been classified under (a), and (b), publishing their decision in three issues of the *Diario Oficial* (Official Journal), and recording such decision in the Commercial Registry.

Article 7.—The institutions of credit classified under (a) of Article 5, will be able to operate according to the terms which are afterward established.

Article 8.—The institutions classified under (b) of Article 5 can only make transactions leading to the collection of their assets and paying their liabilities according to the terms of this law.

Article 9.—The institutions classified under (c) of Article 5 will be consigned to the proper authority for their legal liquidation. Likewise those institutions which do not come under this law will be consigned to competent authority for liquidation in accord with the terms and conditions established in Articles 2, 3, and 4.

Article 10.—At any time, the Treasury Department in accord with its information and after hearing the party concerned will be able to modify the classification made regarding any of the Institutions referred to by the preceding articles.

Article 11.—The Banks referred to by the present Decree will be subject in their operation to the terms of Article 28 of the Constitution, as well as to the provisions of the General Law for Institutions of Credit and the Regulations established by this law which are now in force without the old concessions therefor being applicable even for the transactions commenced before the 1st of May, 1917.

CHAPTER II

Article 12. The obligations in money contracted before November 30, 1916, in favor of or against the Banks classified under (a) and (b) of Article 5 will be liquidated in accord with the provisions established in the following articles. The obligations contracted after the date mentioned will be governed by the provisions of the Common Law.

The date of the obligations will be determined from the date when the original obligation was contracted, and not from the dates of renewal or modifications, except when through the particular circumstances of each case, it is learned that it refers to another transaction.

Article 13.—The payments which may have been made or received by these Banks will be considered as flawless regardless of the money with which they were paid, except when the Courts decide on the legality of the act in case of controversy. Therefore, this Decree will only apply to the liquidation of the unpaid part of the obligations referred to.

Article 14.—The obligations contracted in favor of these Banks previous to April 15, 1913, will be payable on the following terms:

(a) When the principal does not exceed \$2,000,000 (pesos), it must be covered in national gold at par, and in four months from the date of this Decree.

(b) When the principal exceeds \$2,000,000 (pesos), it must be covered in national gold, at par, in twelve months from the date of this Decree.

(c) The interest due during the régime of circulation of metallic money will be payable immediately at par at the rate agreed upon; but without being capitalized.

(d) The interest due during the régime of circulation of fiduciary money will be payable immediately in accord with the provision of the preceding, after reduction is made of its value to metallic paper, according to the table of equivalent values established by Article 10 of the Law of April 13, 1918.

Article 15.—The obligations contracted in favor of the Banks after April 15, 1913, and November 30, 1916, will be payable according to the terms of the preceding article, after reduction of its value to metallic, according to the rate of the day when contracted, and according to the

table of equivalent values therefor. The interests relative to these obligations will be paid according to the terms provided in (c) and (d) of the preceding article, after the principal is reduced to metallic, for calculating the relative interests which according to the rate agreed upon would have been paid after November 30, 1916.

Article 16.—The Banks referred to in this Chapter will pay their obligations according to the following terms:

(a) The debt arising from the issuing of notes will be covered at par within a term of eight years, and for this purpose the owners thereof will change them at the Bank for preferred bonds of Series A, payable to bearers in 16 semesters.

(b) The debt arising from deposits without interests and those on sight or three days' sight will be covered according to the following bases:

I. When the amount of the balance in favor of the depositor does not exceed \$2,000 (pesos) it will be covered within two years and for this purpose the depositor will receive in exchange for the respective documents preferred bonds of the Series B, payable to bearer in four semesters.

II. When the amount of the balance is greater than \$2,000.00 (pesos), it will be covered in six years, the depositor receiving in exchange for the relative documents, preferred bonds, payable to bearer, Series C, payable in 12 semesters.

III. The rules established respecting the equivalents and dates of contracting in Articles 14 and 15 will apply to the payment of deposits made in the banks.

(c)—The deposits made by order of any authority, except as provided by Article 25, will be paid, changing the relative documents for bonds of Series B, and C, respectively in the same form as deposits made by individuals, after the due requisites and confidential deposits are made in closed and sealed bags or packages and will be paid as soon as their return is required.

(d)—The deposits made in specie whose circulation has been declared illegal will not be payable by the banks, which will be freed of all responsibility, on proof that they turned said specie over to the proper public office to be destroyed.

(e)—The debts due to deposits made in a bank in notes of said bank will be covered according to Provision A, Article 16.

(f)—The debts against the banks which are guaranteed by security, written guarantee, or mortgage, will be covered in the form and on the terms that are provided by Articles 14 and 15; however, the creditors will not be obliged to receive the bonds provided for in this decree and will retain the preference and privileges due these credits in accord with common rights.

(g)—The other debts contracted by these banks will be covered in the manner provided for by Articles 14 and 15; however the obligations of less than \$2,000 (pesos) will be paid in four semesters and those exceeding this sum in 16 semesters. For this purpose, the creditors will receive ordinary bonds bearing name of Series D and E respectively from the bank in exchange for the relative documents.

Article 17.—The credits which by agreements are payable in foreign money or in certain specie will be covered strictly in accord with the agreement and with the provisions for this item in the Commercial Code.

Article 18.—In treating obligations contracted during the régime of the circulation of fiduciary money, the stipulation made in skeleton or printed documents called treasury notes is not considered as an express agreement to pay in metallic money unless the creditor shows that the debtor received metallic money.

Article 19.—The bonds referred to by Article 16 are subject to the following regulations:

I. The bonds will be issued to bearer or having name of owner according to A, B, Provision I and II and G of Article 16, under supervision of

the Treasury Department and on Delivery of securities or documents for an equivalent sum.

II. The bonds will be divided into a number of coupons equal to the number of semesters fixed for the payment.

III. The coupons on these bonds will be paid by the banks in national gold and at par; the failure to pay one of these coupons of the bonds for the creditors referred to in A, B, Provisions I and II will bring executive action, after legal requisition, and will throw the bank into a state of bankruptcy, unless the case of refusal of payment is due to counterfeit bond or coupon.

IV. The payment of the coupons of Series A, C, and E, will commence at the end of one year counting from the date of issue of the respective bonds and the payment of the Coupons of Series B and D, six months counting from the same date.

V. The bonds will be issued in values of \$100 (pesos), \$500, and \$1,000, and for the balance of less than \$100, the bank will issue the relative certificate which will be liquidated on the same terms as the principal debt to which the balance corresponds.

VI. The certified bonds will pay an interest of 3 per cent payable every semester.

Article 20.—The creditors of the banks will change their securities and documents for the bonds referred to by this decree within a period of ten months from the date of the last publication of the declaration referred to in Article 6.

Article 21.—If any of the Banks included in Provisions (a) and (b) of Article 5 should be declared later in legal liquidation, the owners of bonds will enjoy preferences for such bonds as are provided by the General Law for Institutions of Credit and the Commercial Code.

Article 22.—The Banks will not be able to grant discharge or respites nor make transactions which reduce the guarantee of the credits or retain the payment of these credits without previous advice from the Treasury Department for those of Class (a), and after authorization for those of Class (b).

Article 23.—The Banks will be able to anticipate the date of payment of its bonds, provided that that payment includes the total of bonds of a same series or that it only includes a part of them; however in the latter case, it will be determined by lottery made under supervision of the Treasury Department which bonds are to be paid.

Article 24.—The banks of Class (a) will be obliged to accept in payment of the credits in their favor, their own notes or checks drawn against them for deposits without interest or at sight or at no greater than three days' sight.

Article 25.—The transfers made in favor of the Banks in paper money or bank notes will be decided in the following manner:

I. If the transfer was made in paper money and there is a clause calling therefor, the Bank will be obliged to receive the paper money deposited or the certificate in accord with Articles 18 and 20 of the Law for Payments of September 15, 1916; however the amount of the deposit will be the only amount in national gold, after the conversion is made in accord with the table included in Article 10 of the Law of April 13, 1918, for the date when the transfer was made; the debtor being obliged to pay the difference between said amount and the amount of his transfer in metallic money, in accord with the regulations and terms established by this law.

II. If the transfer was made in bills of the creditor Bank, the latter will be obliged to accept the amount of the transfer, if there was a clause to that effect; however, if no such clause exists, the deposit will remain at the disposition of the depositor, except as provided in the preceding article.

III. In the two preceding cases, the principal will be calculated according to the period to which the specie in which the obligation was contracted corresponds.

IV. The transfers made by the Banks will be regulated according to Provision I.

Article 26.—The actions which the Banks may take for exacting compliance with the obligations treated of in this law will be offered immediately in Court; however the definite clauses which are included will always grant the debtor the terms that this law provides for the respective payments. If the debtor fails to pay according to any of the terms provided, the obligation will be considered as due, and the Bank will proceed to collect the entire credit.

Article 27.—When securities partially salable are included in the pledged property, the Bank will be entitled to dispose only of the part necessary for covering the amount of the obligation due, unless the express consent of the debtor is given.

Article 28.—The debts of the National Government in favor of the Bank will be covered by the issue of bonds bearing a simple interest of 6 per cent, annually.

These bonds will have 16 coupons attached, payable semi-annually for a period of eight years, from the date when the Government and the creditor Bank come to an agreement on the settlement of the debt.

The Federal Government will be able to pay in advance at any time the partial or total payment of the bonds mentioned; if the payment is made in full, that will cause the Bank which is paid to be subject to the common laws regarding its creditors.

Article 29.—If the Government fails to make the payment corresponding to any semester, the General Treasury of the Nation will be able to subdivide at the request of the Bank the coupon or coupons which are unpaid, in the sums which are indicated by the said Bank, issuing special certificates which will be accepted in payment of Federal taxes, with the exception of those which are in the form of revenue stamps and those which are pledged in some special way for some loan.

The Banks will be empowered to change said certificates for the coupon due on the bonds referred to in Article 16, and in such case the Banks being freed of the obligation contracted.

CHAPTER III

LIQUIDATION OF THE BANKS CLASSIFIED UNDER C

Article 30.—For the liquidation of the assets and liabilities of the Banks classified under (c) of Article 5, the provisions concerning equivalents in Article 15 of this law will be used; in other matters the procedures, terms and scale established in the relative provisions of the Law for Institutions of Credit and the Commercial Code.

CHAPTER IV

GENERAL PROVISIONS

Article 31.—The relative provisions of the Law of April 13, 1918, are applicable in all cases governed by the present Decree which do not oppose the provisions thereof; Article 6 of the Law itself being expressly abolished.

Article 32.—The stamp tax will not be payable with the bonds and certificates issued in accord with the provisions of this Decree.

Article 33.—The Treasury Department will be authorized to dictate the necessary measure for the execution of this Decree.*

*It is understood that eleven of the sequestered banks were able to meet the requirements laid down.

In July, 1921, it was reported that foreign banks in Mexico were maintaining cash reserves or foreign balances of from 65 to 80 per cent of deposits. Mexican banks were content with a much lower reserve, running from the minimum of 33 per cent required by law, to 40 per cent. The nominal bank rate was $1\frac{1}{2}$ per cent, but the actual rate was from 2 to $2\frac{1}{2}$ per cent.

The whole banking situation is in an uncertain and unsatisfactory condition. Virtually a new system will have to be devised and put in operation before the business life of the country finds an assured foundation.

THE COMISI3N MONETARIA

The Comisi3n Monetaria is a government organization which carries on all classes of banking operations. Its balance sheet of July 30, 1921, is printed below:

LIABILITIES

	Pesos
Coinable metals.....	58,374.08
Foreign correspondents.....	1,225,250.77
Certificates for payment of duties.....	835,379.35
Current dollar checking accounts.....	9,165.74
Values pending.....	2,755,509.69
Credit balances against credits conceded.....	127,810.40
Current checking accounts.....	1,813,871.03
Judicial and administrative deposits.....	145,836.09
Voluntary deposits.....	598,252.24
Various Creditors	
Eric Corporation, especial henequen account.....	7,228,207.28
Other debtors.....	839,657.75
	<hr/>
	8,067,865.03
Values to be paid.....	220,573.82
Employees fund.....	66,650.27
General Treasury of the nation.....	1,101,893.74
Mint.....	710,637.52
Ex-commission of exchange and coinage.....	1,067,456.43
Holders of coupons.....	1,081,202.72
Exchange.....	4,620.81
Commissions.....	2,494.65
Regulating fund.....	13,414,755.19
Fees to bank interventors.....	77,828.16
Interest.....	245,159.67
Charges off.....	1,564,233.50
Certificates of national gold.....	5,138,964.70
Remitters (remitters of anything unspecified).....	988,210.62
Depositors of values.....	59,869,894.29
Metals in coinage.....	2,487,275.00
	<hr/>
Total.....	102,846,265.51

ASSETS

Cash	\$1,483,827.68
Investments	1,165,434.84
Furniture and fixtures	25,226.36
Domestic correspondents	206,572.70

BRANCHES

Balance in ordinary accounts	\$10,132,700.31	
Merida branch, special henequen acct.	7,228,207.28	
		17,360,907.59
Purchase of domestic drafts		139,812.36
Discounts		285,560.09
Loans		2,087,116.14
Mortgage loans		545,557.61
Loans by superior order		168,736.00
Collateral loans		1,301,064.54
Various debtors		
Department "Refaccionario" de la Laguna.	\$5,313,416.99	
Mexican Navigation Co.	966,202.68	
Other debtors	875,605.28	
		7,155,224.95
General expenses		43,404.36
Construction on real estate		13,800.00
Crop loans		239,000.00
Doubtful debts		2,521,588.68
Amortization of national gold certificates		4,057,761.98
Public debt in national gold certificates		1,081,202.72
Paper collectable in city		863,251.14
Paper collectable out of the city		124,959.48
Values in guarantee		5,449,220.48
Values in custody		53,920,673.81
Emission fund		2,438,762.00
Deliveries in mint		167,600.00
		<u>\$102,846,265.51</u>

For the period prior to 1920, Walter F. McCaleb, *Present and Past Banking in Mexico*, with its helpful bibliography will be found especially useful.

SECTION VII — LABOR CONDITIONS — EDUCATIONAL SYSTEM

LABOR CONDITIONS

By PERCY ALVIN MARTIN, Ph.D.

Leland Stanford, Jr. University

The preparation of a satisfactory account of labor conditions in Mexico is attended with extraordinary difficulties. The material available is fragmentary and inadequate. Until recent years no systematic effort has been made to collect labor statistics; since the establishment of a Bureau or Department of Labor under Madero the disordered conditions of the country have made the assembling of reliable data all but impossible. Our chief sources for statistical information are the census reports of 1895 and 1910, which contain many serious gaps and reveal a number of inconsistencies. In the preparation of this chapter the writer has used, in addition to the government documents available, a number of articles and monographs¹ and the testimony of a large number of Mexicans and Americans with Mexican experience who are conversant with labor conditions.² The picture which will be drawn will be incomplete in many particulars; some of the conclusions reached are to be regarded as tentative. Yet an effort will be made to analyze the outstanding characteristics of Mexican Labor, to indicate the share it has had in the economic development of the country and finally to envisage the problem it must solve if it is to play its full part in the upbuilding and reconstruction of the Mexico of the future.

In other chapters in The Year Book will be found full data regarding the population of Mexico and its distribution. It may merely be recalled as a preliminary to our special study that according to the census of 1910 the population of Mexico was given as 15,150,369. Various estimates have been made of the racial composition of the Mexican people; the most recent writer on the subject states that the whites constitute 1,150,000 or 8 per cent; the Mestizos 8,000,000 or 52 per cent, and the Indians 6,000,000 or 40 per cent.³ There is reason to believe that the proportion of the whites is somewhat too low and that of the In-

¹A partial list of authorities consulted appears on p. 354.

²The writer has personally interviewed over one hundred such persons. In addition he has utilized the testimony of certain witnesses before the Subcommittee of the Committee of Foreign Relations of the United States Senate investigating Mexican Affairs, Sixty-sixth Congress, First Session, 1919. (Generally known as the Hearings before the Fall Committee.)

³*Thompson, The People of Mexico*, p. 37.

dians too high. As the Mexican census makes no classification according to races no official statistics are available. The population in 1910 was distributed as follows: The great central plateau contained 75 per cent of the population; the *tierra templada*, or foothill region of moderate temperature, 15 to 18 per cent; and the *tierra caliente*, or torrid region 7 to 10 per cent. It follows therefore that in dealing with labor or social conditions, attention should be focused upon the situation as found on the central plateau.

Characteristics of Mexican Labor: Although the characteristics of Mexican labor necessarily vary in different portions of the country, Mexican labor, both skilled and unskilled, is inefficient if judged by the standards of labor in the United States and the countries of Western Europe. The chief adverse characteristics may be summarized as indolence and apathy, improvidence and lack of ambition with a consequent willingness to accept a low standard of living, an improperly developed sense of responsibility, an addiction to routine which hinders the introduction of machinery and labor-saving devices, especially in agriculture; and finally a tendency toward dishonesty, especially manifested in petty thieving. These handicaps to labor efficiency have often been explained on ethnic grounds; certain it is that the crossing of the Spanish and Indian strains has not tended to accentuate those qualities ordinarily associated with efficient labor. Of more fundamental importance, however, are certain conditions, climatic, social, economic, which until recently at least have been more or less constant. The climate of Mexico, despite its wide variations due to differences in altitude, has in general exercised a depressing effect on labor efficiency. In the *tierra caliente* the handicaps common to all tropical belts are to be found; while in the plateau regions the lack of oxygen and the rarefied atmosphere make sustained exertion difficult. Of still greater moment are the economic and social causes. It has long been recognized that the excessive use of alcoholic liquors, especially pulque, has been an enormous factor in lowering the status of Mexican labor. It is noteworthy that in 1903, at the heyday of the Diaz régime, the value of corn raised in Mexico amounted to 82,169,962 pesos, while the value of alcoholic liquors produced during the same year reached a total of 28,393,213 pesos. During the Diaz period no effort was made by the government to cope with this evil; such efforts as were made to abate drunkenness were due to a number of progressive American companies who absolutely insisted that no liquor be consumed on their premises. Since 1910 spasmodic attempts, especially in Sonora and Yucatán, have been made to grapple with this problem, but the results thus far have hardly been encouraging.

Closely allied to drunkenness is gambling. Both the Mexicans and the Indians are born gamblers, but the government,

instead of seeking to check this vicious tendency, directly encourages it by licensing clubs, games of chance, and above all by supporting the lottery. There is perhaps no single factor more favorable to the creation of habits of general improvidence than the official exploitation of the gambling propensities of the Mexican of the poorer classes. Malnutrition and disease account in part for the low stamina of Mexican labor. While data on malnutrition are difficult to secure, there is reason to believe that large numbers of the poorer classes of the plateau regions are insufficiently nourished and occasionally are but little above the starvation line. Peons or farm hands coming to mines for work frequently have to be "fed up" before they are even reasonably efficient. In tropical Mexico, where nature is more lavish in her gifts, food is more generally abundant.

It need only be remarked in passing that venereal disease, malaria, tuberculosis, typhus and almost certainly the hookworm disease have taken a frightful toll among the laboring classes of Mexico. Dr. Ellsworth Huntington in a recent study on the factor of health in Mexican character states that "Mexico may almost be called a nation of invalids." He adds that it seems conservative to say that among Mexicans as a whole there is four times as much sickness and death as among Americans.

Finally, among the causes which may be singled out for the habitual inefficiency of Mexican labor, may be mentioned the faulty system of land tenure which has retarded formation of a small class of independent farmers, the demoralization of the laboring classes through successive revolutions, the lack of opportunity for industrial and primary education, and finally the decrease in the number of working days through the multiplication of religious festivals.

The foregoing analysis would seem at first sight to weigh very heavily on the debit side of the balance of Mexican labor. It should be made clear, however, that the Mexican people possess a number of admirable qualities which distinctly make for labor efficiency. The Indian, and to a somewhat less extent the *mestizo*, possess considerable physical endurance. From his Indian forbears the typical Mexican has inherited certain artistic gifts as revealed for instance in the native arts and crafts. The development and encouragement of these aptitudes should play a large part in any rational system of education. Again, the Mexican possesses within certain limits qualities of initiative and adaptability. With care and tact he can be taught the use of new tools and become fairly expert in their use. It is thus possible to convert unskilled laborers by proper training into good mechanics, stationary engineers and even locomotive engineers. The high degree of patience and docility possessed by the average Mexican laborer facilitates this process. Finally, it should not be forgotten that the Mexican if well treated quickly devel-

ops a fine feeling of loyalty. The experience of many American companies, forced during the great exodus of 1914 to leave their valuable properties in charge of their Mexican employees, abundantly proves this point.

Compared with that of other nationalities Mexican labor appears to fair advantage. While the testimony of employers is far from unanimous, in general it may be said that Mexicans are superior to negroes and equal to Orientals, Greeks and Italians. It is when one reaches the managerial and skilled mechanical classes that discrepancies begin to appear. The belief long persisted, especially among foreign companies operating in Mexico, that in positions requiring initiative, resourcefulness and executive ability, foreigners were to be preferred. But beginning with the last years of the Diaz régime and extending through the decade of revolutions such positions, in so far as they continued to exist, have been perforce largely filled by Mexicans; especially is this true on the railroads. While these Mexicans have not always risen to their new responsibilities, under favorable conditions they have attained a fair measure of success. It must never be forgotten, however, that in many instances this marked rise in the status of Mexican labor would hardly have been possible but for the training and opportunities offered by foreign companies.

Occupations: In the census of 1910 an effort was made to classify the population of Mexico according to occupation. The methods followed were unscientific and inaccurate and the results frequently unsatisfactory and misleading. Even were the figures reliable at the time, the social and political upheaval of the last ten years would deprive them of much of their value. Yet despite these shortcomings the census returns give certain rough approximations of the kinds of employment in which the Mexican people are engaged and furnish some data for differentiating between what we may call the "laboring classes" and the "middle and upper classes." In the tables which follow only the more important occupations are listed; ordinarily those in which less than five hundred are employed are omitted.¹

LABORING CLASSES	MIDDLE AND UPPER CLASSES
AGRICULTURE	
Farm laborers (peones de campo) .....3,130,402	Hacendados 834
Live stock hands (ganaderos) 12,869	Ranchers 24,417
Shepherds 875	Farmers 410,566
Horticulturists 10,868	Overseers 4,763
Herdsmen 164	<hr/> 440,580
<hr/> 3,155,178	

¹While the statistics here given are based on the official census returns of 1910 the arrangement is partly based on the admirable book of Mr. Wallace Thompson, *The People of Mexico*, pp. 338-341.

LABORING CLASSES

MIDDLE AND UPPER CLASSES

MINING INDUSTRIES

Miners	79,024	Mining administrators.....	494
Smelter employees.....	15,921	Assayers	439
	<hr/>		<hr/>
	94,945		933

MANUFACTURING INDUSTRIES

Factory employees.....	58,840	Industrial administrators.....	2,099
Cotton manufacture.....	32,209	Building foremen.....	502
Cigarette makers.....	6,893	Printers and engravers.....	5,577
Millers	621	Electricians	1,411
Fiber manufacture.....	5,829		<hr/>
Mechanics	23,383		9,589
	<hr/>		
	127,775		

NATIVE INDUSTRIES

Adobe brick makers.....	655	Lime burners.....	1,255
Artificial flower makers.....	1,689	Mat weavers.....	22,684
Basket makers.....	1,086	Potters	22,654
Canoe makers.....	692	Pulque makers.....	1,375
Chandlers	2,590	Reboso weavers.....	7,346
Charcoal burners.....	9,155	Sweetmeat makers.....	5,995
Chocolate makers.....	305	Tamale and biscuit makers...	1,042
Fireworks makers.....	3,237	Water carriers.....	2,002
Hat makers.....	17,895		<hr/>
Lace makers.....	8,606		111,263

TRANSPORTATION

Chauffeurs	369	Sailors and shipworkers.....	5,931
Coachmen	6,470	Railway employees.....	560
Expressmen and freighters...	6,008	Wagoners	6,518
Locomotive firemen.....	41		<hr/>
Motormen	621		52,147
Muleteers	25,629		

LABORING CLASSES

MIDDLE AND UPPER CLASSES

MISCELLANEOUS TRADES AND PROFESSIONS

Bakers	29,410	Actors	1,485
Barbers	9,498	Architects	542
Blacksmiths	22,568	Artists	1,773
Bookbinders	1,173	Business agents.....	1,888
Bricklayers	61,762	Clerks and bookkeepers.....	19,057
Brick makers.....	3,220	Decorators	7,576
Butchers	10,360	Engineers	4,256
Carpenters	67,346	Merchants	236,278
Chicle gatherers	790	Midwives	3,027
Coppersmiths	1,173	Musicians	14,214
Cigar makers.....	3,474	Photographers	1,206
Fishermen	4,528	Physicians	3,721
Founders	1,020	Roman Catholic priests.....	4,405
Furriers	1,433	Silversmiths	3,670
Harness makers.....	7,177	Sculptors	699
Lumbermen and woodworkers.	6,415	Stenographers	732
Pastry cooks.....	1,782	Telegraph operators.....	2,550
Peddlers	8,165	Watchmakers	1,078
Plumbers	1,754	Writers	559
Sail makers.....	2,834	Other trades and professions.	3,503
Salt and gypsum workers....	1,090		
Shoemakers	44,114		312,219
Soap makers.....	960		
Stonecutters	7,526		
Tailors	25,865		
Tanners	8,312		
Tinsmiths	2,252		
Slaughter-house employees....	6,337		
Minor occupations.....	2,556		
	<hr/>		
	344,894		

PUBLIC SERVICE

Police	6,817	Teachers	21,007
Soldiers	25,814	Army officers.....	3,703
Navy	603	Civil service employees.....	27,602
	<hr/>	Navy officers.....	555
	33,234	Diplomatic corps.....	62
			<hr/>
			52,929

PERSONAL SERVICE

Dressmakers	8,452	Servants:	
Janitors	3,841	Domestic (Criados y sir-	
Laundresses	64,737	vientes)	241,306
Millers (domestic).....	253,737	Personal (Empleados par-	
Seamstresses	82,926	ticulares)	83,442
		Tortilla makers.....	26,419
			<hr/>
			764,860

NO CLASS DISTINCTIONS

Housewives	4,138,501	Beggars	96
Scholars	843,741	Mesalinas	2,699
Students	30,646	Trade unknown.....	65,554
Without occupation.....	243,377		<hr/>
Minors	4,302,435		9,627,049

The foregoing classification lends itself to a number of interesting commentaries, most of which may be more conveniently discussed in the sections dealing with labor in agriculture, mining and manufacturing. It may be noted at this point, however, that the census returns reveal evidence of the extent of those occupational groups from which is ordinarily recruited the middle class. The totals indicate 4,638,344 belonging to the so-called "laboring classes" and 841,594 included in the "middle and upper classes." However inaccurate these figures may be they clearly indicate that at the end of the Diaz period a relatively small but vigorous middle class was coming into existence. This fact would be more evident if space permitted a detailed comparison with the census return of 1895; by way of example the percentage of increase in a few occupations may be noted. Thus the number of architects during this decade and a half increased 137.7 per cent; engineers, 36.8 per cent; mechanics, 339.6 per cent; plumbers, 261 per cent; teachers, 66.9 per cent; physicians, 71.1 per cent.

In the tables of occupations just quoted no reference was made to the labor of women and children. Nothing is said in the census reports regarding children, but an attempt was made to note the number of men and women engaged in a given industry. From other sources we know that children have been employed to a certain extent in mining—the number decreasing from 5852 to 2541 during the years 1895-1910—and in considerable number in the cotton factories. It is in the latter occupation that the most serious problems of child labor have arisen. There is reason to believe that at the end of the Diaz period some eight thousand boys and girls were to be found in the cotton mills. Their wages were low—averaging seventy-five centavos—and their hours very long. These conditions, which find a certain parallel in a number of cotton factories of the United States have been materially improved as a result of recent labor legislation.

Fortunately, more material is available on the labor of women. The number of women employed in mines in 1910 was less one per cent of the total, being 467 out of 79,024. In agriculture the percentage was 1.7 or 61,981 out of 3,570,674. In the last decade of the Diaz period the labor of women in modern industries and factories revealed a steady increase; in cotton factories, to take the most striking instance, there were in 1895, 9895 women out of a total of 20,994, and in 1910, 12,565 women out of 32,309. On the other hand, the number of women employed in cigarette factories declined from 8930 to 5353, the loss being doubtless due to the increased use of machinery. We also find 51,763 listed as "comerciantes," i. e., small shopkeepers and the like. In the professions, comparatively few women are to be found outside the ranks of teachers, of which there were 13,532 or 64.6 per cent of the total. Finally, an interesting de-

velopment is revealed in the presence of 1785 government employees. As was to be expected, however, an overwhelming proportion of the women listed in occupations was still to be found under the caption of domestic service; 181,914 servants; 82,962 seamstresses; 62,324 laundresses.

One might easily exaggerate the importance of women in the industrial or commercial life of Mexico. Careful estimates would seem to indicate that in 1910 barely 9.5 per cent of the women employed in occupations were engaged in non-household labor. Mexican women who wish to embark on a business career have had to encounter a mass of conventions and prejudices which could only slowly be broken down. The evidence shows that a beginning, but only a beginning, has been made.

Data on the wages received by women are so meager as to be practically useless, but the evidence is fairly conclusive that their wages have been considerably lower than those of men engaged in the same occupations.

Agricultural Labor: The opinion has long been widely current that the main industry of Mexico is mining. From the standpoint of both production and exports this is true if the petroleum industry with its recent enormous expansion be grouped with mining. In 1898, agricultural products amounted in value to 248,000,000 pesos, or over two and one-half times the value of mineral production, and the proportions, excluding petroleum products, have changed but little since. According to the census of 1910 the number of males employed in agriculture amounted to approximately three-fourths of all those engaged in gainful occupations. A comparison with conditions in the United States is not without interest. According to the United States Census of 1910 the number of persons engaged in agriculture amounted to 10,887,488, being approximately 11.6 per cent of the total population, while in Mexico (census of 1910) they amounted to 3,595,758 or approximately 23.5 per cent of the total population of 15,160,369. These statistics are particularly significant when viewed in connection with the total agricultural production of Mexico, which in 1903, when the Díaz régime was at its apogee, amounted to 273,268,065 pesos. This sum, divided by 3,570,299, the total number of males employed in agriculture, gives the total receipts from agriculture per male employed as only 76.56 pesos, amounting to only a little over seventy-three cents, American gold, per week. These figures furnish a striking commentary on the extremely unproductive employment of the agricultural population. A similar conclusion may be drawn from the fact that this great body of men produces no exportable articles, if exception be made of henequen and certain products such as chicle, cocoa and coffee. In the case of corn, whose cultivation largely absorbs the energy of

the inhabitants of the plateau, production in certain years does not even meet the meager requirements of the Mexican population, and foreign supplies must be drawn upon.

Wages in Agriculture: While wages naturally vary in different parts of the country, depending upon such factors as density of population, climate, growth of manufacturing and mining industries and proximity to the frontier they have until recent years been uniformly low, and even now in large sections of the republic are much lower than in the United States. In 1895, a fair average for all of Mexico would be thirty-seven and one-half centavos or three reales, an increase of possibly fifty per cent over the wages paid in 1878-1879. During the last decade and a half of the Diaz epoch they rose with greater rapidity. This was due to the increasing efficiency of the average laborer, the disintegration of the peonage system, the effect of emigration to the United States and to the competition which the hacendado was obliged to face on the part of mining, industrial and railway interests. This last factor was of course a corollary to the extensive introduction of foreign capital. At the very end of the Diaz period wages on the plateau regions averaged at least fifty centavos a day, while in the tropical belt and the states along the border they had risen to a peso and a half.

Since 1910 wages—where work has been available—have vastly increased until nowhere (with a few possible exceptions) are they less than one peso a day. In certain states, such as Sonora, a minimum wage of one peso, fifty centavos has been set. In the Mexican section of the Imperial Valley wages have risen to two dollars and a half and three dollars American gold, while in Yucatán it has been possible for laborers in the henequen field to make as much as eight to ten pesos daily. But in most cases the cost of living has fully kept pace with the rise in wages and it is a mooted question as to whether or not the agricultural laborer has gained or lost by the events of the last ten years.

Peonage: A "peon" is defined in Webster's Dictionary as "a debtor held by his creditors in the form of a qualified servitude to work out a debt; a serf." This definition is inaccurate in so far as it connotes any kind of involuntary servitude having a legal basis of sanction. The Constitution of 1857 is explicit on this point: "Nobody may be compelled to render personal services without his full consent." The Constitution of 1917 is even more emphatic. Strictly speaking a "peon" in Mexico is simply an unskilled laborer and the use of the term is almost exclusively confined to farm hands. Despite these facts there has existed up until recent times in certain parts of Mexico a system of labor by which the peon was held to his work through his inability or unwillingness to repay the debt contracted with his employer.

A full understanding of the peonage system would require a discussion of the land system in Mexico which would far transcend the scope of this chapter. It may merely be pointed out that peonage in the sense of forced labor was an outgrowth of the efforts to oblige the available laborers to work as part of a large production scheme. The ideal of the Indian and to a large extent the average peon is to raise only enough corn, on his diminutive plot of land, for his personal use. As a consequence, there falls on the owners of the haciendas the responsibility for the surplus food supplies which will make possible the support of the mining and industrial community. Thus the labor problem of the hacienda becomes of vital import to the life of the nation, and in the opinion of some Mexican writers has fully justified the means employed by the hacendado to assure a constant supply of labor.

The antecedents of peonage are to be found at the very beginning of the colonial period. The Spanish conquerors and their descendants received grants, "encomiendas," of Indians—generally the population of a communistic village—who were obliged to work for them. Though the *encomienda* was legally abolished during the sixteenth and seventeenth centuries it was gradually succeeded by a system of forced labor in which the peon was bound by debt to his employer. While peonage as a system extended throughout large sections of Mexico it reached its maximum extent in certain sections of the *Tierra Caliente*.

Agricultural Labor in Tropical Mexico: In the states bordering the Gulf of Mexico extending southward from and including Vera Cruz agricultural labor, though relatively well paid, has been both scarce and inefficient. Fertile soil and warm climate have deprived the inhabitants of incentive to labor for food or clothing. On the other hand the large and profitable market for tropical products, especially henequen, led the plantation owners to adopt almost any means to secure an abundant labor supply. The American companies who planted large tracts to rubber, coffee, or sugar had to have labor at any cost. When the free labor was exhausted various expedients were adopted. In Yucatán the owners of henequen plantations induced the Maya Indians to contract debts which they could not hope to repay and thus bind themselves to a condition of semi-serfdom. Should the peon attempt to flee the planter could call upon the local political or military authority to effect his capture. On the Isthmus of Tehuantepec and adjacent regions the *enganche* system was employed. The term "enganchado" (literally "snared" or "hooked") was applied to contract laborers from the cities. They were the worst type of men found in the hot countries, "broken-down, pulque-soaked, their blood polluted with nameless diseases." They represented the acme of inefficiency and

their one desire once they reached the plantation was to return to their urban haunts. To prevent their escape they were locked up in barb-wire enclosures, known as "jaleras." Since 1910, the *enganche* system as well as peonage in tropical Mexico have practically disappeared.

Agricultural Labor in Temperate Mexico: The population on the great Mexican plateau is denser than in the tropical portions of the republic. Wages are lower and labor in general is more steady and reliable. The chief production is grain, especially corn. While a certain number of small farmers is to be found, large haciendas owned by absentee Spanish and Mexican proprietors, and operated by *administradores* are the rule. On many of these states up to the end of the Diaz period and even beyond peonage in a mild form existed. Peons were attached to the soil by advances as in tropical Mexico, but the *enganche* system was rarely met with. In certain districts joint cultivation on the *metayer* plan is found; especially is this true in Jalisco and Guanajuato, the great corn producing states. The share worker receives from the hacendado a portion of land, a certain advance in corn, as well as the necessary implements and draft animals. The product of the crops is divided between the planter and cultivator, according to the terms of the contract. Where the share system does not exist wages are paid, sometimes in cash, sometimes in cash and provisions. Frequently they are paid on the basis of the task or "tarea," which though nominally a day's work, could often be completed in three or four hours.

An abuse formerly widespread both in temperate and tropical Mexico was the hacienda store—the *tienda de raya*. This store at which the peon was virtually obliged to make his purchases was the favorite means of keeping him in debt. Frequently the wages were paid in paper coupons good only at the hacienda store. Since the Carranza revolution the *tiendas de raya* have been officially abolished; but in the more remote districts they continue to exist as an economic necessity.

Labor in Mining Industries: Many of the generalizations which have been applied to labor in agriculture may be made in the case of mining labor. The same qualities of inefficiency and unreliability, and especially the disposition to petty thieving are stressed by competent observers. The carelessness of the typical miners, particularly in the handling of explosives, has become proverbial. Finally one meets again the continued refrain that the Mexican miner will work only long enough to satisfy his immediate needs and that increased wages are followed by decreased output.

These charges, while more or less valid for an earlier period, are only partly true in the case of the almost one hundred thousand miners and smelter employees at the end of the Diaz period.

Before the decade of revolutions disorganized the mining industry, the morale and efficiency of the average miner had shown marked improvement. This progress was due in very large part to the methods adopted by the foreign companies, chiefly American, to whom the most important mines belonged. Drunkenness and idleness have been curtailed; regularity has been encouraged through the grant of a bonus to laborers who worked steadily throughout the month; the deliberate policy has been adopted by many companies to stimulate a desire for a higher standard of living upon their employees. Nearly all the large companies supplanted foreigners with Mexicans as rapidly as the latter could be trained to perform the more responsible tasks. In some cases they have made efforts to train the Mexicans in the operation of the more complicated machinery or have even afforded them opportunities for education along scientific lines.

Wages in the mining industry have been consistently higher than in agriculture. They are lowest in southern Mexico and tend to rise as one approaches the border. Thus in the Pachuca district in 1909 miners received from fifty-seven and one-half to sixty-six and one-half centavos per day; timbermen seventy-five centavos to two and one-half pesos; mechanics, seventy-five centavos to two pesos. In Chihuahua miners and timbermen received one peso and one and one-half pesos respectively. Finally in Sonora, close to the border, miners received as much as three pesos a day; sometimes more. Since 1910 here, as elsewhere, there has been a further increase in wages.

Space does not permit any detailed discussion of labor in the petroleum industry. It may be merely noted in passing that in no field of Mexican industry have foreign capital and foreign companies done more to raise the status of the Mexican laborer than in the Tampico oil fields. Relatively high wages, opportunities for advancement, sanitary living conditions, schools, hospitals have all been supplied by the employers. Generally speaking the Mexicans have responded to this treatment; the laborers have not only become more efficient, but there has grown up a fine spirit of loyalty and cooperation.

Labor in Transportation: Although an immense amount of goods is still carried throughout Mexico by carriers with pack trains, the present survey will be confined to labor in rail transportation. As is well known, up to the end of the Diaz régime, the overwhelming majority of conductors, engineers, dispatchers as well as the higher officials of the railway administrations, were Americans, while the less important positions were held by natives of the country. All the unskilled labor employed in construction was naturally Mexican. Testimony as to its efficiency varies somewhat, but there is fair unanimity in considering it the equal of South European or oriental labor. The extensive employment of Mexicans as railroad laborers in the United States

as far north as Wyoming and as far east as Illinois predicates a certain aptitude for this kind of work. In the shops, experience has shown that the Mexican, if properly instructed, is capable of becoming a reasonably efficient machinist, boiler maker, blacksmith or carpenter.

The wage scale of the Mexican railway laborer, in comparison with labor in agriculture or even in mining, was relatively high. The lowest type of unskilled labor, such as section hands, received in 1910 from one peso, twenty-five centavos to two pesos, and at the present time from two pesos to two and one-half pesos. The wages of skilled labor, e. g., machinists, boiler makers, blacksmiths has been approximately one hundred per cent higher. The working day, formerly nine and ten hours, has been reduced pretty generally to eight hours.

The importance of the work done by certain of the railway corporations in Mexico in supplying the country with trained mechanics and engineers, can hardly be exaggerated. Thanks largely to the initiative of Mr. E. N. Brown, president of the former National Railway and later of the lines merged into the National Railways of Mexico, from 1890 to 1912 these corporations established apprentice schools where for a period of four years Mexican workmen might secure training in various crafts, receiving at the same time wages which gradually rose to three and one-half pesos a day. In this manner were educated fifteen to eighteen thousand young Mexicans who either remained in the employ of the railway or found positions in various other industries as trained mechanics or engineers. From these trained Mexicans were recruited much of the personnel which have operated the National Railways of Mexico after the departure of the American employees in 1911-1914. Many of the engineers thus trained are receiving as much as eight to twelve pesos daily and some as high as fifteen to twenty-five pesos.

Industrial Labor: Owing to the small extent to which modern industries have been developed in Mexico, the subject of industrial labor may be dismissed with a few brief references. One whole classification of industries may be left out of account: the large number of primitive—in many cases household—industries regarding which we have very little reliable statistical data. As typical of this class may be mentioned the making of pottery, the manufacture of lace and drawn-work, straw and felt hats, and a variety of articles which cater almost entirely to local needs.

The only modern industry conducted in Mexico on a large scale is cotton manufacturing. Thanks largely to the high protective tariff cotton mills sprung up in all parts of the country, employing in 1911 over thirty thousand operatives. The wages of these employees have been low. In 1909 they did not average, even in the best of the mills, more than a peso a day, running as

low as twenty-five centavos and as high as two pesos. At the present time this scale has increased from seventy-five to one hundred per cent, the greatest increase being in the more modern, better equipped mills at Orizaba. Up until the past few years when the eight-hour law at least nominally went into effect, the hours of labor were bad, judged by almost any standard. The operatives began work at six in the morning and ended at eight at night, with intervals of rest amounting to an hour and a half. Many of the operatives were women and children; of the latter some as young as ten years of age were employed. Happily these conditions, which led one competent observer to describe conditions in some of the mills to be "as bad as any to be found in India," have in large part been remedied.

The testimony in regard to the efficiency of the operatives in cotton factories varies greatly. A careful observer writing in 1887, declared that while the nimblest of the Mexican boys could not manage over four hundred and fifty or five hundred spindles, a bright girl in one of the mills at Fall River could easily take care of as many as seven hundred. Twenty years later a special investigator sent by the United States government speaks highly of the adaptability and relative efficiency of the cotton mill operatives. That this class of labor has somewhat lagged behind that employed in transportation is possibly to be attributed to insufficient training and routine methods of management fully as much as to lack of capacity of the operatives.

Labor Legislation: In this brief survey of labor conditions in Mexico, only a passing reference can be accorded to labor legislation and labor organizations. As is well known, practically no labor laws were written on the statute books during the administration of President Diaz. This failure to safeguard the rights or advance the interests of the laboring population was skilfully capitalized by Madero in his campaign for the presidency; after his election labor legislation of some importance was enacted. In December, 1911, a Bureau of Labor under the Ministry of Fomento was created. This bureau subsequently raised to the dignity of a Department of Labor has, up to the present time, passed through various vicissitudes, but on the whole has justified its existence. Not only has it been instrumental in settling a number of serious controversies between labor and capital, but it has also published data of considerable value.

While the government of Huerta represented a certain hiatus in the progress of labor legislation, the Carranza administration from its first lease of life evinced a profound concern for everything which affected the interests of the laboring classes. In a number of states, notably Sonora and Yucatán, comprehensive labor laws were enacted and attempts were made to inaugurate a quasi-socialistic régime of which labor was to be the chief—if

not the sole—beneficiary. The Constitution of 1917 in the famous Article 123 embodies a long series of provisions safeguarding with the minutest care the rights of labor. One detects a sincere though imperfect attempt to place Mexico in all that pertains to social legislation not only on a level, but even in advance of the United States and the most progressive countries of Europe. A number of the state legislatures, notably those of Yucatán, Sonora and Vera Cruz, have passed so-called organic laws designed to carry out the spirit of this paragraph while a comprehensive federal labor law has long been pending. The criticism has often been made, apparently with some show of reason, that labor legislation in Mexico has been so advanced, even radical in character, as to defeat its own object. The individual laborers, and especially labor organizations, have been accorded rights and privileges which they have been prone to abuse and have in many cases made a satisfactory adjustment between employers and employees impossible. The breakdown of a considerable part of the labor and social legislation promulgated in Yucatán by ex-Governor Alvarado is a case in point.¹

Labor Organizations: Only the most summary references to labor organizations can be included in the present brief survey. In the last years of the Diaz epoch labor unions, though laboring under many disabilities, began to appear and in 1908 had a total membership of some sixteen thousand. Under Madero the movement took on an enormous expansion, particularly among the workers in the cotton factories and on the railways. For a time the movement was swept into radical, even anarchistic channels through an organization known as the *Casa del Obrero Mundial*, the "House of the Workers of the World." The excesses of this body tended to discredit organized labor in Mexico and in 1915 it was virtually suppressed. Since this time the movement of organized labor has been gradually divested of its more radical leanings, and there is a healthy tendency now discernible to look to the United States rather than to Continental Europe for guidance and ideals.² The doctrines of socialism, syndicalism and occasionally even bolshevism, though for a time making a certain headway, are rapidly losing ground. The fact that Mexican labor organizations tend to develop along the lines of industries rather than those of crafts or trades as in the United States represents perhaps the most striking difference between the labor movements in the two countries.

¹On the subject of the activity of Alvarado in Yucatán cf. the article by the present writer, "Four Years of Socialistic Government in Yucatán," in the *Journal of International Relations*, October, 1919.

²The creation of the Pan-American Federation of Labor through the efforts of the American Federation of Labor has had a salutary effect on the Mexican labor movement. Under the auspices of the first of these two bodies a number of international conferences have been held, notably one at Laredo in September, 1918.

Summary and Conclusion: In our brief survey we have found that Mexican labor possesses certain qualities which warrant us in characterizing it as inefficient if judged by foreign standards. It is cheap, improvident and uneconomical. The standard of living is low and efforts to raise it seem at first sight to be discouraging. Until the Madero revolution, and in certain parts of Mexico even now, wages are lower than those prevailing in Western Europe and much below those current in the United States. We have also seen that the stamina of the laboring population has been seriously impaired by alcoholism and the ravages of certain diseases. Yet there is every reason to believe that with certain interruptions conditions have shown a slow but steady tendency toward improvement.

During the first half of the nineteenth century the status of labor was little better than in colonial times, but with the advent to power of the Liberal Party in 1856 and 1857, a marked improvement set in. Still further changes, all for the better, marked the long presidency of General Diaz. The reform of finances, construction of railroads, growth of industries, eradication of brigandage, decrease in illiteracy, and above all the establishment of peace ushered in an era of economic progress which was reflected in the improved conditions of the mass of the people. That grave abuses persisted cannot be denied, but the tendency on the whole was upward.

It is to the credit of American capital and American enterprise that they have from their first entry into Mexico contributed powerfully to this progress. By the creation of new industries they gave employment to thousands who had been living on the verge of destitution; it was the Americans who made the Mexicans understand that it was the American industries that were the most active helpers of the government in practical education. At their own expense they maintained schools whenever educational facilities were lacking. Many of them did more. They consistently strove to raise the standard of living both by granting higher wages as well as by inculcating habits of hard work, honesty and self-respect. In the establishment of hospitals, in their emphasis on sanitation and in their interest in every variety of welfare work they made the communities healthier, saner and more joyful places to live in; by their prohibition of alcoholic liquors and gambling they discouraged immorality and encouraged thrift. Finally, by patient teaching and force of example, they converted thousands of unskilled, undisciplined and inefficient workmen into skilled artisans and mechanics.

It is yet too soon to attempt to strike a balance between the good and ill effects of the last decade on the Mexican laborer. Unquestionably as a result of a series of revolutions he has lost much. The disorder, poverty, and corruption until recently existing in certain parts of the republic have frequently reduced

the laborer, particularly in the case of the peon, to a condition worse than under Diaz. Moreover, the plethora of laws and decrees issued by the Federal government and the various states in his behalf, has in many instances been a dead letter. Frequently they have done him downright harm since the possibility of their enforcement has discouraged the investment of new capital, the revival of industry and the employment of labor.

Yet in the final analysis it cannot be denied that Mexican labor has proceeded apace along the difficult road of social progress. Whatever the future may hold in store, a return to all of the conditions existing prior to 1910 is unthinkable. Neither the Mexican laborers nor their employers will tolerate again such abuses as regards hours and wages as formerly existed among many of the operatives in cotton factories. Moreover, the last remnants of peonage have been swept aside never to return. Yet save for these gains, the rural classes of Mexicans have profited little by the ten years of revolutions except in a few favored localities. Until some concerted intelligent effort is made to improve the lot of the peons one of Mexico's greatest social problems will remain unsolved.

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THE DEVELOPMENT OF THE MEXICAN EDUCATIONAL SYSTEM

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The Fundamental Factors: First and most important of all is the human factor. The Mexican population is a mixed one, formed of Iberian and aboriginal elements in varying ethnic combinations, in which, along some stretches of the coast one may occasionally detect a slight African tinge. Possibly two-fifths of this population would still be classed as Indian—an inaccurate and widely variant term—and one-tenth as European, largely descended from Spanish incomers; but the *mestizo* element is gaining in numbers and influence at the expense of the other two and at no distant day is destined to control the country. Physically and mentally this element has derived more from its aboriginal forebears than from any other source, and it may be well to consider what this heritage definitely means.

We may take for granted the existence of a relatively high capacity for culture among these aborigines. The Mayan and Aztec monuments prove that, not to mention evidences of commendable progress in sculpture, pottery, feather-work, weaving, wood-working, and certain household arts, whose vestiges still survive in remote portions of the country. While their political system had hardly advanced beyond the stage of tribal confederacies and their religion centered around attempts to propitiate unfriendly deities through human sacrifice, they had in most quarters developed a village community life that still remains the most important social factor of primitive Mexican life.

The Spanish conqueror exerted his cultural influence mainly through two agencies—the church and the *encomienda* (labor trusteeship). As for the latter, we may say that it was a system of forced labor that made neither for efficiency nor moral uplift. Because of its repressive character the intellectual outlook of the native at the end of the colonial period was little, if any, higher than at the beginning. Such slight improvement as had occurred was due to the church. That organization provided for the native a milder system of worship, a stimulating ritual, certain restricted opportunities for elementary and higher instruction, and a new language. These cultural opportunities included some definite guidance in vocational training—in building, raising crops, caring for domestic animals—during the process of “reducing” the warlike Indians to standards more closely approximating those of the conquerors. For the Spaniard the church afforded almost the only agency of social and intellectual expression. Nearly all important work in linguistics, literature, and science, and all of devotional and ritualistic character, was performed by churchmen or under church auspices.

A new day dawned with the nineteenth century and among its harbingers appeared the spirit of political idealism. To some extent, this originated in the United States, but the Spanish colonies derived their manifestations of it from France—a country that has generally exercised intellectual leadership among the Romance peoples. In time, this Gallic influence almost drove the church out of the secular field. Naturally, that organization struggled to maintain its ascendancy in statecraft. The resulting conflict had an educational bent as well, but at the end of a half century of national existence, Mexico, intellectually and politically, was more free from ecclesiastical domination than any other portion of Latin-America. But that does not lessen the original debt to the Spanish ecclesiastic nor argue that the churchman will ever cease to wield a strong spiritual influence in Mexican life.

The struggle against clerical control was largely affected by the simultaneous attempt to break away from centralized political control and by a demand for fewer class distinctions. In neither respect has the result seemed as successful as the attempt to prescribe limits to ecclesiastical control, nor has this failure been wholly unfortunate. The Latin-American has always been ready to recognize intellectual genius, whatever the social status or the political affiliation of the possessor.

The intellectual side of political emancipation manifested itself in constitutional and legislative programs for public schools. These represented the ideals of a coterie rather than well-formulated popular aspirations and in the midst of continual political disturbance there were no funds to set them going. In this period of general need, public and private organizations alike had recourse to the Lancasterian system of instruction. In the national capital and in many of the state centers this system was established in the early twenties and maintained itself for upwards of a half century. With all its defects it proved a most welcome supplement to the meager educational resources for primary instruction.

In the secondary schools of this period, and indeed throughout the century, the most pronounced source of inspiration was the positive philosophy of August Comte. Very likely its enthusiastic devotees stretched its scientific implications too far, for the Latin mind—granted there is such a distinct intellectual entity—is not prevailingly scientific and painstaking. But the type of thought exhibited by the Comtian devotees on this side of the Atlantic, even with its plethora of indigestible educational programs, was distinctly superior to the scholastic system it displaced. The name of Comte has been more than a pedagogic symbol.

With the advent of Diaz came the heyday of modern capitalism in Mexico. The school system, both public and private, gradually reacted to changed economic conditions. The coming of

the foreign capitalist often meant the presence of new educational agencies—at least for the instruction of foreign children. These agencies aroused the imitative instinct of the native administrator who copied form if not spirit and achieved thereby a certain inward satisfaction. At the same time, German exponents introduced directly the principles of continental pedagogy, supplementing rather than supplanting the prevalent French influence, while those who moved back and forth across the northern border carried with them some impress of the American system. Thus France, Germany and the United States contributed their quotas to the intellectual advance of Modern Mexico. As the Diaz administration wore on, an increasing number of Mexican pedagogues sought in these countries a training that might fit them to preserve these initial gains. From this group has come the commendable advances of recent years in public instruction.

Intellectual progress must inevitably be accompanied by increasing discontent with an unfair social and economic system. It was but natural, therefore, that with the spread of literacy, this discontent should manifest itself in political revolt, and that the school teacher should often prove its most conspicuous exponent. Perhaps the gains through revolt, as measured by educational efficiency have not yet proved equal to the losses, but revolutionists are inclined to believe that the future educational prospects of the country justify the ambitious, if immediately destructive attempt at self expression.

Thus upon a native foundation has been raised a cultural superstructure composed of indigenous and foreign elements, and shaped in the stress of political and social revolt. A different development might have been more effective, but such were the main factors through which Mexico actually reached her present cultural development.

Early Aims and Opportunities: Until within the last half century the educational policy of Mexico was based on a relatively simple assumption—all classes of people should accept without question the lot in life which church and state, usually in accord, had determined for them. For some of the outlying Indian tribes the mission admirably served this purpose. In it, under the instruction of devoted ecclesiastics, the natives learned to build the substantial and charming structures that housed their teachers and themselves, and to keep them in order along with the appurtenant lands, flocks, and herds. Some of the brighter ones of these communities, especially among the males, might acquire a smattering in the "three R's," and all were trained in the simple formulas of "Christian Doctrine." After a generation or two of such indoctrination, the neophytes were turned over to parish priests, the government generally absorbing any surplus property of the establishment. In this secularizing process many traces of exotic culture disappeared.

While the more fortunate Indians measurably profited from the simple regimen of the mission, the greater part of them fell directly under a system of forced labor that has continued with little change to the present day. For their rude tasks in mine or on hacienda little instruction has been necessary. Even such chances for improvement as were afforded by casual contact with the dominant race were denied them by laws that provided for their maintenance in separate villages, from which outsiders were excluded. The more remote tribes were unaffected by mission or labor system and some two million of them in a total population of over fifteen millions, still speak their native dialects. Add to these double that number who under a system of forced labor have been taught just enough to be kept exploitable and one may judge the size of the task that awaits the modern successor of Las Casas.

From the earliest period there has been more provision, at least in the populous centers, for a fraction of the Mestizo children and for the Creoles. Some of the former had to be trained for subordinate positions of trust and the latter for a more or less innocuous leadership. Thus both classes received primary instruction of a rudimentary type in schools maintained by the church, and supplemented, toward the close of the colonial period, by a few maintained by municipalities. Favored boys might aspire to a course in a "colegio," where instruction in the humanities, in art, in mediaeval theology, or later in law, medicine, or engineering awaited them. These opportunities were neither broad nor deep, but they corresponded to the demands of life about them and compared not unfavorably with similar opportunities in neighboring European colonies. Save for the restrictive force of the Inquisition there was little to mark the system of the Spaniards as less liberal than that of their rivals.

Because of the Inquisition's crushing weight New Spain was affected even less than Old Spain by the new spirit of philosophy that Newton and Descartes introduced. The Bourbon sovereigns showed a more liberal spirit. Carlos III patronized an art school and an engineering school and housed them both sumptuously in the City of Mexico. Museums and botanical gardens also appeared in that city. Official periodicals and public literary functions became the order of the day. But these evidences of intellectual awakening affected comparatively few. The Inquisition still sought to keep from the elect those disturbing philosophical and political writings that emanated from Paris.

In its writings, at least, the movement for political independence gave promise of a genuine intellectual purpose—a purpose that the legislation of the first half of the nineteenth century did little to justify. None of the new state or national constitutions established religious toleration. All of them professed a deep interest in public instruction, but all measures of the sort that were really effective were furthered by the municipalities, the

local church authorities, or by private corporations, such as the Lancasterian Society. In general, those who fought against centralism or class distinctions tried to help their cause along by advocating more and better schools, but their wishes did not take shape until embodied in the Constitution of 1857 and the so-called "Reform Laws." The main purpose of these enactments was to curb the political power of the church and to confiscate its enormous resources, but in realizing these ends they emphasized the necessity for a wide-spread system of public instruction. By the time educational leaders were ready to initiate this system, Porfirio Diaz had gained control of the country and had begun to extend the encouragement to the foreigner that revolutionized Mexican life.

Progress Under Diaz: Since the fall of Diaz it has been the fashion to decry the educational efforts of his régime. The policy initiated by his advisers resulted in a system that was top-heavy and that favored the Federal District at the expense of the separate states, but in theory at any rate the states had the power to change these conditions, if they so desired, and incidentally the outlying schools profited from many of the improvements that were first tried out at the capital. Centralization in educational methods was bound to accompany other centralizing processes, although in education the states continued to enjoy greater autonomy than in other fields of governmental activity.

The features of the system associated with the name of Diaz were initiated a few years before his advent to power. The main purpose of the Liberal régime under Juárez was to carry out the "Reform Laws" enacted more than a decade before. In education that effort meant the establishment of a system of primary instruction that should be free, compulsory, and non-sectarian. To do this the government must take over in the Federal District and territories the greater part of the functions earlier performed by the church and must supplement by liberal appropriations the property that it had sequestered during and before the "Wars of Reform." In connection with the attempt to put the entire country on a modern economic basis this was a necessary effort, but one that was difficult because funds and trained workers were lacking.

The national legislation in behalf of this program may be grouped into three periods. The first was ushered in by the law of December 2, 1867, which provided for ten model schools in the Federal District. These were placed under the general supervision of the Secretary of Justice, who was also to have an oversight of the schools maintained by the *ayuntamiento* of the capital. The law seemed designed to encourage instruction rather than merely to control it, and was so drawn as chiefly to affect primary and secondary schools. It was too elaborate and necessitated too great a change in methods to be successful, but with

some modification it served as a starting point for future national legislation and as a model for the states to follow.

The second period of scholastic legislation was preceded by the important educational congresses of 1889 and 1890. Two decades of experiment and discussion had resulted in a profound conviction that popular interest as well as legislation was necessary for any substantial progress. The active propaganda of such men as Dr. Gabino Barreda and José Díaz Covarrubias, followed by that of Ignacio N. Altamirano, Justo Sierra and Luis E. Rúiz, had been adequately supported by Don Matías Romero, Don Joaquín Baranda and other ministers who had to carry out their policies. These men and other educators and administrators, both state and national, had outlined the educational problems of their country and presented their remedies. Some of their proposals were embodied in definite laws, but a real national awakening was necessary to make this legislation effective in more schools, improved curricula, and better teachers.

The influence of these national gatherings may be noted in two ways: In both the states and the Federal District there was an increase in the number of government schools as compared with those under private control, and the number maintained by state and federal governments showed a marked increase as compared with those maintained by municipalities. Yet at the end of a century the number of primary schools throughout the republic was small, about nine for each 10,000 of population, entailing a public expenditure of a little over 4,500,000 pesos. This meant an average expenditure of ten pesos for each child in the public schools. At the same time there were thirty-three official preparatory schools in the republic, and forty-five normal schools (twenty-two for men, twenty-one for women, and two for students of both sexes), and some provision for industrial and commercial training, for agricultural schools, for art and music schools, and for professional education. In the latter field, the medical school of Mexico City deserved a relatively high rating. In addition to prospective advocates the law courses were well patronized by those who sought the degree in jurisprudence for its prestige and cultural value. The courses in engineering and in mining were relatively less successful, for in these occupations local graduates came into direct competition with those trained abroad.

The third period of legislative and administrative activity comprises the last ten years of the Díaz régime. This was a time for developing established projects rather than introducing new ones. The educational activities of the federal government were centered in a separate cabinet ministry, headed by Don Justo Sierra, Mexico's "Grand Old Man," and ably assisted by Ezéquiél A. Chavez, Gregorio Torres Quintero and others who are still active in school work. An increased attendance upon public and private schools occurred during this period, the primary and

secondary grades showing a greater proportionate increase than the professional schools. This was well if the country was to avoid creating an intellectual proletariat. Mexicans in greater numbers went abroad to gain training for public service in educational work. Schools maintained by foreign colonies and by outside religious bodies began to exert an appreciable influence in specific localities. Migration across the border began to show its effects in the northern states. Toward the end of the period, prominent educators and other publicists began to consider ways and means for reaching the vast masses of Mexico's still unlettered population. Less than one-fourth of the children of school age were enrolled in the schools and the illiteracy of the country averaged seventy per cent. Yet the list of newspapers and other periodicals was growing at an impressive rate despite decided restrictions upon the freedom of the press, while museums, observatories, art galleries, botanical gardens, libraries, and similar agencies were numerous enough to betoken a substantial cultural background among the more favored classes.

Statistics are often misleading, but we may use a few to show how the Mexicans themselves interpret their educational progress. In 1874, José Díaz Covarrubias reported 8103 schools of all sorts in the republic with a total enrollment of 349,000; in 1889, Carcia Cubas gives the number of schools as 10,726 with 543,977 pupils. According to the *Anuario Estadística* the government in 1906 supported 9363 primary schools, with 713,394 pupils and in 1910 the *Informe* of the National Congress of Primary Education (Vol. III, p. 615 ff) claimed 12,418 official primary schools with a total enrollment of 889,511 pupils. In 1874, the governments, municipal, state and federal, spent 1,632,436 pesos on their educational work; in 1889, 3,512,000 pesos; and in 1900, 4,306,908 pesos. In 1910, the public expenditure for primary education alone was 10,261,240 pesos. If the system was top-heavy, as its critics claimed, it was also progressing in the lower stages, where the ratio of increase was greater than that of the population at large. Indeed, this increase in educational opportunities, plus the advent of foreign capital, made possible the growth of a middle class with which the government had shortly to reckon.

Aside from the charge that the system was top-heavy, the states criticised the expenditures for the Federal District as disproportionate and wasteful. Certainly the last ten years of Díaz's rule were marked by the erection in Mexico City of several magnificent structures that were designed to serve all types of school work from the kindergarten to the newly-created university. In the disturbed period that has intervened some have been forced to close their doors or to modify the type of instruction they at first offered, but those who erected them were acting in accordance with the genius of their people. The Mexicans love display and they live in a land of colorful contrasts. Their leaders desired to impress outsiders as well as their fellow-countrymen

with the material evidences of their educational progress, and for a time they succeeded only too well.

Recent Aims and Results: During the closing days of the autocracy, the muck-raker and the socialist began to pay some attention to Mexico. These impulses from the outside were not appreciated by the authorities, but they served to call attention to the fact that the great material development of the Diaz régime had not been accompanied by a proportionate cultural and moral advancement among the lower classes. The growing industrial element in the larger cities afforded fruitful soil for the labor agitator, as soon as the dictatorship was overthrown, and when the same controlling force was withdrawn, the agricultural laborer in Yucatán promptly fell under the spell of an exotic socialism. The reaction against despotic repression was bound to swing far toward unfruitful radicalism.

One remedy for the prevailing ignorance and misery of the agricultural laborers was the so-called system of "Rudimentary Instruction." This was a system for teaching the "three R's" in a two-year course. The proponents of this brief curriculum hoped to teach many of the unlettered to read, write and cipher and to give to the Indians what two millions or more of them still lacked—a common language. Elaborate plans for the system were drawn up as a sort of final measure to save the Diaz régime. They were criticised as a mere sop to the prevailing political unrest, as an attempt to introduce federal control within the states and as a scheme to build up a political machine to favor the presidential aspirations of a sponsor. More effective criticism was to the effect that the plan would hardly relieve the illiteracy of twelve millions and do little to give the recipients of its benefits effective training. Moreover, the public treasury could never stand the enormous costs that it would entail. One or two of the ministers made some effort to start the system, but without permanent result. The project, somewhat modified, forms part of the plan advocated by the revived Ministry of Public Instruction and Fine Arts.

Amid the flood of recent criticism of the school system suggestive projects have not been lacking. Señor Alberto J. Pani, who for a time headed the Ministry of Public Instruction, wished to utilize the schools to improve hygienic conditions among the poorer classes. Señor Antonio Manero emphasized civic and technical training for the Indian, without showing just how this was to be realized. Señor Zeferino Domínguez would teach him how to raise better corn and more of it and would bring school children into contact with the fundamental principles of plant and animal life. His gospel, the writer can attest, has already produced some results on both sides of the border. Dr. Manuel Barranco, in a doctor's thesis prepared at Columbia University, summarizes many of these suggestions in a general proposition

to hasten the fusion of races. Upon the mestizo, he thinks, rests the social and cultural, as well as the economic future of Mexico.

The educational results of the Carranza régime seem to be largely destructive. This, however, was due to peculiar conditions rather than to the intent of the authorities. Carranza desired to see the school system democratized. He called into service a number of young men who had been trained in the United States. Under their leadership state and municipal control were encouraged, the Ministry of Public Instruction and Fine Arts abolished, and the National Preparatory School put upon the basis of an American high school. The purposes back of these measures were good—to make the system less top-heavy and to bring out community responsibility. For a time, there was an increased enrollment in the primary schools of the Federal District and of the more progressive states, but this was soon followed by a period when teachers' salaries were months in arrears, primary schools were closed, technical instruction was abandoned, and when a general feeling of uncertainty and discontent manifested itself in strikes on the part of teachers and pupils and wholesale resignations from the directing staff. Education and all other forms of social activity had to yield to military necessity.

Outside the Federal District, where simplicity of organization was to be followed by more effective primary and secondary instruction, there were a few notable educational experiments. Puebla, Guadalajara and Orizaba made much of their night schools. The state of Sonora tried to meet the problem of rural instruction by resort to the "perambulating school." A small structure was to be mounted on wheels and taken in turn to the most needy remote districts. There is little evidence that this plan was workable. The state of Vera Cruz tried to develop a series of parents' meetings and to share through them the local control of schools. Teachers organized in Tampico and other centers to advance their own interests or to encourage community activities against alcoholism or other social evils. Greater efforts were made to fill state and federal normal schools, but without much result so far as the men were concerned. The "Day of the Master" was nationally observed, but without greatly increasing the teacher's efficiency or attracting sufficient numbers into the profession. In the face of rising costs of living and increasing public deficits, not even the prospect of an annual excursion to the United States, such as was actually provided for some three-score teachers in 1915, could tempt persons into the service.

The educational interests of the country were handicapped rather than furthered by Carranza's anti-clerical attitude. Diaz winked at many infractions of the "Reform Laws," so far as the school activities of religious orders were concerned. The Jesuits and the Sisters of Mercy maintained flourishing secondary schools

in the capital and in other important centers and many of the women's orders carried on primary schools. In a country where the need for instruction was so great as it is in Mexico such schools were necessary to supplement the public system. Unfortunately, church influences had opposed Carranza and when he secured control of the government, he naturally proceeded to curb his clerical opponents and to destroy such establishments as were clearly illegal. In some cases, he permitted the persecutions of his subordinates to extend to outrage and banishment. These methods were not in keeping with modern civilized practices, but they followed naturally from the long conflict between church and state.

The educational experiments of Carranza's representative in Yucatán, General Alvarado, attracted wide-spread attention. He attempted to introduce there many features of state socialism. Before his coming, some of the better class Yucatecos awoke to the necessity for uplifting the Maya Indian—the chief sources of labor—or of facing a racial uprising. A "League for Social Service" was formed to discuss the problem, organize rural schools, and encourage social betterment of all kinds. This league had not gone far on its program, when General Alvarado proposed, in 1915, to establish a more far-reaching one. By decree he enacted that on a certain date every plantation that had as many as five children must provide a primary school for their instruction. Naturally, the decree failed because he could not obtain teachers; nor did the Indian parents take more kindly to his attempts to introduce rudimentary instruction in farming; nor did he have greater success with his agricultural school. Certain changes in professional work were unpopular in influential circles. In general, his autocratic socialistic régime educationally proved as disastrous for Yucatán as it did financially and industrially.

Among experiments of the last ten years in higher education has been the attempt to revive the National University, or rather to establish it on a different basis. The University of Mexico owed its establishment to a decree of Charles V and opened its doors more than eight decades before Harvard. It represented the capstone of intellectual effort during the colonial period, but fell on evil days after independence. Its mediaeval scholasticism was unfitted to deal with the problems of the nineteenth century and after continuing a dying existence for forty years, during which it was gradually shorn of its professional courses, it finally expired in the sixties. It was the dream of Don Justo Sierra and his confrères to reestablish the institution along lines more in keeping with modern science and pedagogy, and in 1910, as part of the centennial celebration, they gained their wish.

The institution then inaugurated provides for a governing and administrative body rather than for a teaching force. The central directive *junta* contains representatives of the profes-

sional schools and of the national museums, library, and observatories, with its own president and administrative staff. What it was hoped would become the real center of the University and its chief intellectual agency—the School of Higher Studies—has thus far proved a disappointment. Some courses of graduate rank are offered, but the student body is largely composed of auditors, rather than of serious candidates for a degree. Literature, philosophy and pedagogy have proved the most popular subjects. The schools in law, medicine and engineering maintain their usual work and have by no means fully accepted unified control. During part of the time the Preparatory School has been attached to the group, because of its function as a feeder for professional schools, and at other times it has been subject to the control of the Directory of Public Instruction. The University Board is supposed to encourage fine arts and scientific research, but all of its activities have been hampered because of political and financial disturbances. Just now (1921) the president of the university is leading in the movement for the reestablishment of the Ministry of Public Instruction and Fine Arts. Thus the revolutionary cycle has completed its course and Señor Vasconcelos and his colleagues are reverting to the agencies of the Díaz régime.

School Administration and Control: An important factor in the educational life of the country is the municipality. From time immemorial this agency has played a conspicuous part in all that appertains to Spanish-speaking peoples, so it is only natural that the *ayuntamiento* (town council) should perform many of the functions that in the United States we entrust to district or county school boards. In general, we may say that it is the Mexican plan to let the locality provide the plant and budget for primary schools, and to hire the teachers; while the training of the latter in the normal schools, the control of the inspection force and of secondary instruction is undertaken at the expense of the state, which for this purpose is divided into suitable districts.

The two-fold division of function is a natural one and prevails generally throughout the republic. It throws the burden of primary and secondary education and even of some inadequate attempts at professional training upon the local community or upon the state. National activities, therefore, have been restricted to the Federal District and the territories, of which only two remain. Even in the Federal District the *ayuntamiento* of the capital has generally continued to exercise important school functions, although under Díaz the Ministry of Public Instruction and Fine Arts gradually took over these tasks and even ventured to consider some that the states had hitherto exercised. In a country like Mexico where centralized control has of late been the rule, it was inevitable that the educational sys-

tem should yield to the same impulse. Even the decentralizing efforts of Carranza could not check this tendency.

The movement toward uniformity as distinguished from centralization was aided by the educational congresses of 1889 and 1890. The same would have been true of the Congress of Primary Education in 1910, had not political disturbances so quickly affected the whole country. The earlier meetings did much to establish the curricula for primary and secondary instruction and for the training of teachers. The Congress of 1910 afforded a chance to review educational progress during the preceding thirty years, but it also brought forcibly to the attention of the whole teaching force the social importance of the work upon which they were engaged. All three of these gatherings served to bring out the intellectual leadership of a few dominant personalities and to encourage a more intelligent planning for future standardized development.

No school system is free from charges of undue political influence, and these naturally were brought against the Department of Public Instruction under the worthy Sierra. No suspicion of personal corruption attaches to him or to his associates, but one of the most forceful critics of the system calls the department under his administration "a most valuable toy in the hands of a child." The head was a poet and a philosopher; his subordinates were often importunate but unpractical visionaries, whose costly schemes for improvement did not always work. There were charges that too much money was spent on school buildings merely to make a good showing—often spent unwisely, sometimes simply disbursed. In sending educational commissions abroad it was a common complaint that these were manned by political favorites, but a more serious criticism was the tendency to favor the fine arts at the expense of the more useful ones. At the present stage of development Mexico needs engineers rather than pianists and painters, but it is far easier to find a score of prospective candidates in music and painting, than to find one good prospect in engineering. Such, it seems, has been the bent of Latin-American genius.

There are not lacking other charges of unfortunate political intervention. The *jefe politico* (political chief) was an important cog in the Diaz machine. In many of the states he assumed school functions—clearly against the law—and used his power to appoint or remove teachers. Frequently the school funds passed through his hands, leaving slimy traces of corruption behind. Such was not the intention of the authorities, of course, but the opportunity frequently brought about the inevitable result. Prominent educators were often deprived of their positions for supporting a candidate for governor whom Diaz opposed. Doubtless these abuses would have been multiplied, had centralization in public instruction proceeded still further under the weakening grip of Diaz.

Nearly five years elapsed after the passing of the dictator before another régime presented anything like a fair comparison. Early in his career as "Constitutional Chief," Carranza called to his side a number of young educators, who following his armies into different parts of the country, reorganized the school systems and at the same time spread the new social and economic theories for which Carranza stood. Thus these "apostolic journeys" were educational in a double sense, but of doubtful permanent value. Throughout the country there was a growing interest in public instruction. Large numbers of people believed that they had achieved political emancipation and they were wise enough to know that their new freedom could be made effective only through wider school privileges. Carranza's plan was to stimulate this sentiment into productive local activity. Legislation and school statistics would seem to show that he was at first fairly successful. A new spirit seemed to pervade the teaching force. The registration of pupils greatly increased and parents showed commendable interest in what the school authorities were attempting to do. Of course with decreasing appropriations this interest rapidly waned.

The Carranza idea was to throw increasing responsibility for the schools upon the municipalities. This did not greatly change the system whereby the state controlled inspection and higher instruction. These activities were usually under a General Director of Public Instruction, with whom might be associated a legislative committee or an appointive educational council. In some cases the governor acted as *ex officio* member of this council and he frequently dominated its proceedings and determined the course of the director. Yucatán, Vera Cruz and Sonora furnished specific instances of such executive control. In Yucatán the dominant socialist party unduly controlled the appointment of teachers and the trend of school work.

A series of upheavals has characterized educational control in the Federal District since 1911. In that year Sierra was forced out of the ministry that he had done so much to establish and develop. From that time the office largely served as a political stepping-stone, until in 1915, the ministry was definitely abandoned. This event, not without its political significance nor its features of personal revenge, marked the crowning point of decentralization. Some of the functions of the ministry passed to the Directory of Primary Education, which also supervised the Preparatory School, the Normal schools, and special technical schools. The Secretary of Industry, Commerce and Communications took charge of some work in the commercial schools. The Agricultural School and the Bureau of Archaeology passed to the care of the Ministry of Fomento. Other instruction, including that in the professional schools, in the School of Fine Arts, the School of Higher Studies, and the work carried on in certain observatories, libraries, and scientific societies, passed under the

control of the university organization. During recent years the heterogeneity in function of this body has been still further increased, without a corresponding increase of income. This is one of the reasons why its present head favors the reestablishment of the Ministry of Public Instruction and Fine Arts, so as to give these manifold activities the dignity and the income that their importance deserves.

Decentralization of authority did not proceed to the point of full municipal control even in the Federal District, yet it went far enough to unsettle teachers and pupils and to drive from the service some excellent directive ability. At the beginning of the change, under the leadership of Señor Andrés Osuna, a remarkable group of young men enthusiastically took up the task of democratizing the system of education in the capital. Many of these men had been trained in the United States. Some were graduates of the mission schools of Mexico that had already proved so useful in supplying the country with trained teachers. Some of the best of the older men and women were still in service or were brought back into it and there was promise of a veritable educational boom, in keeping with the professions of the new government. Unfortunately, the army absorbed too large a part of the revenues to leave much for public instruction. Gradually the better teachers left the service and the leading officials were forced into more productive fields. Attendance at schools fell off and many were obliged to close their doors. Special lines of work were abandoned and at the close of the Carranza régime, the educational agencies in the Federal District were on the verge of collapse and those of the separate states not much better. One of the hopeful signs of the new era is that the schoolmaster rather than the soldier may be its commanding figure.

School Plants and Maintenance: The present school system has inherited many of its buildings from the church, usually by the process of confiscation. These are still the most attractive educational structures, for they display the artistic genius of the people at a time when the church had the funds and power to use it to advantage. Most of the preparatory schools are located in buildings that formerly served the church as schools so they continue with no change of function. Many primary schools are housed in former convents or in dwellings that have undergone some changes, but are far from ideal school buildings. Still the universal *patio* does much to make them usable.

Near the close of the Diaz period many structures were erected in the federal and state capitals especially for schools. Some of these may have been unduly showy and some flimsy enough to justify the charges of graft brought against the builders, but they indicate a commendable desire for betterment in public instruction. Few school buildings represent the gifts of philanthropists. Occasionally a great corporation has contrib-

uted the money for such a structure, but its officials have left the disbursement of the money to the public authorities. Such also has been the rule with reference to any further contribution for upkeep.

As might be expected from the above statements, there is little uniformity in the furniture and equipment of schools. A few contain the most up-to-date furniture; the majority get along with makeshift appliances. There is a general lack of text-books—which are expensive and usually indifferent in quality—of maps, charts, chalk and other essentials for good school work. Yet with this dearth of accessories some of the better teachers do praiseworthy work. In cleanliness and in sanitary conveniences there is naturally great divergence, but in the larger cities one finds a fair approximation to modern standards. In this respect the sanitary measures of the schools have exerted a marked effect upon the surrounding communities.

The expenditures for public instruction evidently form no fixed part of the state budgets. In 1910 these expenditures varied from fifteen per cent for Campeche to thirty-four per cent for Chihuahua. The average cost per pupil in the whole republic was 14.69 pesos, ranging from 4.91 pesos in Michoacan to 77.87 in the northern district of Lower California. There are few or no fixed sources of school revenue. Land taxes are inadequate and unequal. A poll tax in some states is mentioned as one source of school revenue, but usually the schools must depend on the whim of the local authorities. For this reason many are willing to accept federal aid in education, even at the expense of local control.

Curricula and Text-Books: The standard primary course is six years, divided into four years of lower and two of superior primary instruction. Few of the pupils complete the first four years, which are supposed to be compulsory. The superior primary courses are intended to prepare the pupils for the secondary schools, known variously as *preparatorias*, *institutos*, and *licéos*. In these the pupil usually spends five years, taking work that corresponds to the American high school, with some attempt to cover the college work of freshmen and sophomore years. From the secondary school the pupil passes directly to his professional course. Many take work in jurisprudence merely for its cultural value.

In addition to the public schools in which tuition is free, associations, private individuals, and religious bodies conduct schools. Since 1917 no religious sect could legally carry on primary instruction, but some have continued to do so, with more or less connivance on the part of the authorities. Private schools are subject to state inspection, if their pupils expect later to enter the governmental secondary and professional schools or to become public school teachers. Both private corporations and the

governments maintain night schools for adults and children and the states have made some progress in technical and vocational schools. Perhaps the commercial work has been as successful as any of the vocational type.

The country needs better text-books, but is gradually acquiring them through the efforts of her own writers. Chávez has a system of geographies; Torres Quintero and the Palacio Sisters a system of readers, and the former a text on national history. Rébsamen and other earlier teachers also produced worthy text-books that are still in use. Perhaps it is fair to say that Mexican educators should get together and determine standards before writing more text-books. On the other hand, books that are prepared for the school children of other countries are not specially adapted to Mexico's needs. They could well serve as models, however, both in subject matter and as specimens of book-making. For the time being there are far too few copies of any book to supply the needs of the pupils, and few of the latter can afford to buy them. The tariff as well as prevalent deficits will in some measure account for the universal scarcity.

The curricula appear *in extenso* in both national and state laws. One is sometimes tempted to question the wisdom of so much legislation on a subject that should be divorced from politics, but a change in executive control usually means a new director of public instruction and the new incumbent frequently deems it necessary to change existing school plans. Sometimes he is brought back from exile and must signalize his return by introducing the latest educational fad he has encountered abroad. On the other hand, the leading Mexican authorities are familiar with the modern ideas of pedagogy, either in the original publications or in translation, so their educational schemes are usually based on up-to-date principles. What their system needs above all else is stability with gradual adaptation to the peculiar conditions that confront them, so as to make the system more practical and the methods of instruction more thorough. Mexicans themselves do not hesitate to say that their present system of instruction is too superficial.

Teachers and Pupils: Some 22,000 teachers were reported for 1910, an average of two for each school. The great majority of them were without special training for their work. In 1910 sixteen states reported normal schools for one or both sexes and seven others mentioned special courses in other schools for prospective teachers. In some centers the school directors give training courses to the younger teachers, upon which they are later examined. Most of the teachers come from families of limited culture, so these courses are doubly important. Gradually, we may expect an increase in the facilities for training teachers, but an increase in pay will be necessary to attract many into the service. In passing one must pay tribute to the excellent work of

some of the Protestant schools in training Mexican teachers. Other foreign agencies might well seek similar opportunities to be helpful.

Compensation in the public schools is low, uncertain, and often grudgingly given. Military necessity has ruled the day during the past ten years, while the teacher has frequently had her pittance reduced or deferred for months. In some cases she has had to forego it altogether. But the greater part of the expenditures for instruction are for salaries. In 1910, for instance, the State of Querétaro spent 107,000 pesos for this purpose out of a total of 128,000; Chihuahua, 285,000 out of a total of 343,000; Michoacán, 89,400 out of a total of 90,700; Nuevo León, 219,000 out of a total of 274,000. Other states show the same average proportion of school expenditures for salaries. Unfortunately, the scale of salaries is entirely too low, but the proportion of expenditures for public instruction in the general budget must be greatly increased before there can be any marked improvement.

Despite deficiencies in preparation and discouraging pay, one must speak well of the Mexican teachers, especially of the women. The latter, as everywhere, are coming into the work in increasing numbers. During the revolutionary disturbances they have kept up their duties, often in the face of disheartening circumstances. Many of the men became so thoroughly identified with the revolution that they have sometimes been charged with pernicious activity in this direction. Some of the older régime spoke of the public schools as "seminaries for Zapatistas," and blamed the teachers for an apparent tendency to encourage disorder. Undoubtedly there was much in the teacher's lot to make him restive, and much in his training to make him amenable to radical ideas. Women as well as men have felt this prevalent unrest, and the men more prone to yield to it, have embarked upon a revolutionary career, oftentimes to their subsequent profit. But the greater part of the women have remained behind in the schools and have thereby done much to stabilize conditions in their communities. More opportunities for instruction will afford the only remedy for such evils as have accompanied the above conditions.

Mexican schools, public and private, will possibly accommodate a million pupils. About 900,000 were reported in attendance in 1910. This was less than a fourth of the estimated school population under sixteen years of age. These figures will give some idea of the serious problem that faces the Mexican authorities. The problem is still further complicated by wide racial variation, intense regionalism, faulty communication, and in some regions by a lack of acquaintance with the Spanish language. Some observers profess to find a more desirable class of students and teachers along the northern border. Certainly here is where such influences as come from the United States would most affect the

people. Some compare Mexican children with those of other countries, and not always to their disadvantage. Naturally they are courteous, sensitive, and fond of public display, but are not unduly self-conscious. They seem to mature earlier than the children of more northern climes, and some think they are less persevering and dependable. Others of wide experience fail to find them materially different from other children, where conditions are at all similar.

Most observers agree that co-education is hardly feasible in Mexico—at least with the present social background. “Mixed” schools with both boys and girls attending the same classes are unusual above the beginning grades, where public funds warrant the erection of separate schools. Recent experiments in Yucatán in the direction of co-education did not gain much favor. Some educators feel that woman will never achieve her emancipation until co-education becomes universal, but even the foreign missionaries seldom endorse this view.

The most distressful feature of school life is the comparatively few pupils who pass beyond the first two grades. Lack of means as well as lack of incentive will account for this deplorable mortality, but with better wages and stable political conditions we may expect a longer average attendance. The enrollment in night schools during recent years has been hopeful. Hopeful, too, has been the introduction of sports and games in connection with the school curriculum. Through them we may expect the Mexican politician in time to learn the spirit of fair play and to acquire a willingness to accept defeat with better grace. As yet the Mexican student even in the preparatory and professional courses has few “student activities,” but there are organizations that keep him in touch with his fellows of Latin-America, and he frequently displays a wide knowledge of worth-while current events and of contemporary literature.

The test of any system of public instruction is to be found in popular reactions. Within the past twenty years one will note in Mexico City and other important centers, much evidence of sanitary improvement that can be traced to the public schools. Larger numbers on the streets and public conveyances are reading newspapers. The audiences at the “movies” still hum with the mumbling of those who read the explanations for the benefit of their less fortunate neighbors, but even this practice is becoming less noticeable. Art exhibits, musical recitals, and general courses of lectures are more frequent and better patronized than formerly. Learned societies and scientific foundations depend less than before on government initiative and support. The press is less hampered, and if it has taken to the “comic supplement” as one sign of progress, it still cherishes the vigorous editorial, expressed in good Castilian. Libraries and numerous museums are better patronized than of old and the better class of theatrical and operatic performances still attract appreciative audiences,

while the cinema and vaudeville allure new throngs. Not all these changes are distinctly improving in character, nor are they wholly due to the public school, but much of the impulse behind them comes from that agency and many of those most vitally affected by them have found in the school initial awakening and a steady source of inspiration.

AUTHORITIES CONSULTED

For the subject matter of this article the author has obtained much help from material gathered in Mexico and the United States while a member of the commission financed by Mr. Edward L. Doheny for the study of conditions in Mexico. *Mexico, Its Social Evolution*, a series of monographic studies prepared under the direction of Señor Justo Serra, is a perfect mine of information. The three volumes published after the *Congreso Nacional de Educacion Primaria* of 1910 (Mexico, 1912) give data for the individual states. The *Boletin de Educacion* and allied periodicals have been of value, as well as official reports of different kinds, including the *Anuario Estadistica*. Nearly all the standard histories and the better books of travel contain some helpful data and the newspapers are not without value.

APPENDIX I

HOW TO CANVASS MEXICO: CHIEF COMMERCIAL CENTERS¹

CANVASSING MEXICO

Customs Formalities.—The baggage of passengers entering Mexico by way of Laredo, El Paso, etc., must be transferred to the Mexican side by automobile or truck, as no trains now cross the border into Mexico. Inspection of baggage takes place on the Mexican side. Passengers should be present when this inspection takes place and claim their trunks after the inspection has been completed.

When arriving by sea the baggage is inspected in the customhouse at the port of arrival. The examination is usually conducted in a prompt and lenient manner.

Hotel runners may try to convince passengers that they can have the baggage successfully passed through the customhouse, but this matter should be attended to by the traveler in person.

Railway Baggage Regulations.—The usual baggage allowance on a first-class ticket is 50 kilos (110 pounds). For excess baggage rates see railway guide.

Salesmen's Samples.—Samples of any character which are not prohibited by customs laws may be imported duty free, provided they possess no commercial value.

For samples which have a commercial value, a bond may be given at the customhouse for a sum equivalent to the duty on the samples. The period for which bond is given is several months. Salesmen should carry with them letters of authority from their firms to customhouse agents at the border, who will thereupon look after the necessary bond.

If samples which have a value are carried into Mexico and later reexported, it is important that there should be no change in weight or quantity. If there is a difference noted when samples are reexported, they may be confiscated.

If the customhouse at port of reexportation is furnished with a memorandum of samples that have been sold and the payment of duty thereon is volunteered, the matter can easily be arranged, and bond will then be canceled for that portion of the samples sold.

Reexportation of Samples Through Other Ports.—Samples may be brought in through one and reexported from another port. The traveler should obtain a document at the port of entry which he can present to the customhouse at the port of reexportation, which will enable him to effect the clearance without difficulty.

Time Required for Clearance.—Samples which have no commercial value and are carried by the salesman as baggage can easily be cleared without any delay. Baggage will be inspected by customs officials and passed very quickly. Samples which have a commercial value and require the giving of a bond can be cleared in practically the time that is required for the clerical work necessary to prepare the proper papers. This can usually be expedited by the aid of a customs broker.

Duties on Advertising Matter.—Mexican authorities permit travelers to carry with them and admit free of duty a limited amount of advertising

¹Reprinted from *Commercial Travelers' Guide to Latin America*, by Ernst B. Filsinger. U. S. Dept. of Commerce. Miscel. Series No. 89. Though originally published in 1920, the information herein included is still up-to-date except for a few trivial details.

matter, such as calendars, catalogues, etc. The quantity so admitted is usually governed by the customs officials.

Best Visiting Time.—The time for a traveler to visit Mexico depends entirely upon the conditions which govern the line of trade of the traveler. In Mexico, unlike the countries in South America, prompt deliveries are exacted, and merchants, as a rule, will not buy so far in advance as in other Latin-American countries.

Baggage Rates.—No special concessions are granted by the railroads of Mexico to commercial travelers.

Commercial Travelers' Taxes.—No national tax is levied on commercial travelers. Certain municipalities or States may do so.

Routes to Follow.—In dealing with a country as important as Mexico, it is manifestly out of the question to mention arbitrarily the places to visit. Hardly two travelers will agree as to the best routes to follow. All that can be done for an uninitiated traveler is to give certain specimen trips, which will afford some idea of the routes that may be followed. These are subject to many variations.

Trip 1.—For arrival by way of Laredo (visiting most important cities only); Monterey, Victoria, Tampico, San Luis Potosi, Torreon, Zacatecas, Aguascalientes, Leon, Guanajuato, Queretaro, Pachuca, Mexico City.

Trip 2.—Arrival by way of El Paso, Tex.: Chihuahua, Torreon, Durango, return to Torreon, Monterey, Tampico, San Luis Potosi, Guanajuato, Pachuca, Mexico City.

Trip 3.—From Mexico City to Puebla, Orizaba, Vera Cruz, Puerto Mexico, Frontera.

Trip 4.—Mexico City to Morelia, Guanajuato, Guadalajara, Tepic, Mazatlan, Culiacan, Guaymas, Hermosillo, Nogales, Naco.

Trip 5.—Reverse the foregoing, beginning at Naco, Ariz., or continue from trip 6.

Trip 6.—Mexico City to Queretaro, Guanajuato, Aguascalientes, Zacatecas, Torreon, Chihuahua, El Paso; Naco, Ariz.; Cananea, Nogales, and thence continue as trip 4 reversed.

Special note.—Travelers should plan their trips in accordance with the requirements of their particular lines. The Railroad Guide (published monthly) is indispensable.

Buyers in Mexico.—In planning to canvass the Republic careful attention should be given to selecting the classes of merchants or buyers to approach. Travelers who deal with the largest firms of wholesale importers can not advantageously canvass the retail trade also without incurring the risk of losing the patronage of the large importers. In some places houses which do a large retail business also carry on a wholesale business. The traveler must exercise the utmost care to inform himself fully regarding these conditions, else he is likely to jeopardize his ultimate prospects. The wholesalers in Mexico who are located in the strategic centers, such as Mexico City, Monterey, Chihuahua, etc., bear the same relation to the smaller merchants in the adjoining district as do the wholesale houses of the United States to their adjacent fields.

There must be taken into consideration, in addition to the conditions described in the foregoing paragraph, a numerous group of buyers such as railways, power plants, industrial or manufacturing establishments, mines, breweries, etc. It would be impossible in a work of this character to particularize the methods to be followed in every instance.

Agencies.—It is impossible to lay down hard and fast rules for the establishment of agencies or for the canvassing of Mexico. The country is so large that when numerous towns have to be visited periodically it is inadvisable to expect the work to be done by one traveling man. Houses which content themselves with opening an office in Mexico City or allowing the Republic to be canvassed from that point frequently find that the results are far from satisfactory. The following is suggested as a basis for the division of the country. It is, however, purely arbitrary and not applicable to all

lines of merchandise or manufacture: Northeast Mexico, headquarters at Monterey; north central Mexico, headquarters at Chihuahua; northwestern Mexico (including Pacific coast), headquarters at Hermosillo; central Mexico, headquarters at Mexico City; southeastern Mexico, headquarters at Vera Cruz.

In the case of agencies that require a more intensive method of distribution, many additional towns would have to be named. The reader is directed to the succeeding pages in which the different towns are described so that they may easily be studied. In this connection it should be pointed out that Merida, in Yucatan, is often considered by itself, because of the importance of its location in relation to the surrounding country. Many firms find it quite easy to divide the Mexican field into two or three distinct territories which are canvassed regularly.

Points of Interest.—Obviously it is impossible in a guide of this nature to give detailed descriptions of the places and objects of interest. Mexico offers extraordinary opportunities to the traveler; from the scenic, historic, and commercial standpoints it is unusually favored. Those who wish to obtain the maximum enjoyment and profit from a visit to Mexico are urged to buy a copy of an excellent guide book called "Terry's Mexico," published in the United States by Houghton, Mifflin & Co., Boston, Mass. It is on sale in Mexico City at the Sonora News Co., Calle de Gante 4. In this volume are detailed descriptions of practically everything of interest that is likely to appeal to the traveler.

Hotels.—The hotel rates in Mexico show wide fluctuations. The character of the accommodations differ as greatly as do those in the various cities of the United States. Normally, in Mexico City and other large places, the accommodations offered by the larger houses are of the first grade. In the smaller towns they are less desirable, while in the more remote places they are distinctly poor.

Hotel Rates.—With the exception of some of the hotels in the larger cities, especially Mexico City, practically all hotels are conducted on the American plan. Generally speaking, the traveler will find this preferable, for in most instances the dining rooms in connection with the best hotels offer the maximum quality of food and service. Owing to the war, political troubles, etc., rates in Mexico, as elsewhere, have suffered a distinct advance and prices are now higher than formerly. Generally speaking, however, hotel rates are not as high as in the United States, despite the advances. Hotels in the larger cities conducted on the American plan charge the equivalent in American money of \$3 to \$7 per day. Hotels of the second grade are somewhat cheaper. In the less important cities the rates in American gold are about \$2.50 to \$5 per day.

In some of the mining communities and places difficult of access, with consequent scarcity of supplies, the rates are higher. On many railroads are restaurants, at which stops are made of sufficient length for the traveler to obtain meals.

Hints for Travelers.—Salesmen who visit Mexico should bear in mind that the larger importing houses who do a wholesale business object seriously if salesmen who canvass for their trade attempt also to sell to retailers. This principle applies generally throughout Latin America, and the failure to observe it often results in the loss of business.

In this Republic the size of a community is not an index to the commercial possibilities. This is particularly true of the towns in the northern States, many of which, being near the United States, are accustomed to make direct importations. In this respect conditions differ very materially from those in Argentina or Brazil.

Those who are compelled to travel overland or in places difficult of access should make a careful study of the seasons in order that they may not find their journey impeded by impassable roads due to heavy rainstorms.

Holidays in Mexico.—Following are listed the chief holidays of this Republic. The State religion being Roman Catholic, many of the feast days of the church are scrupulously observed. Generally speaking, business is sus-

pended on the holidays officially recognized (Jan. 1, Feb. 5, May 5, Sept. 16, Dec. 25), except in the interior (in the smaller towns), where the merchants take advantage of these days for the transaction of business with the natives who visit the towns in large numbers.

January 1, New Year's Day; February 5, anniversary of the Constitution; May 5, anniversary del Triunfo en 1862; September 16, anniversary of independence; December 25, Christmas Day. There are also many holidays observed in certain states and cities.

IMPORTANT COMMERCIAL CENTERS

ACAPULCO, State of Guerrero; population, 7,000; good port on Pacific coast; vessels anchor offshore; 118 miles (189 km.) from Chilpancingo; 320 nautical miles from Manzanillo. Climate hot. Principal products: Fruits, vegetables, tobacco, cotton, cereals.

American consul and vice consul. Lloyd's agent, William McCann Hudson.

How Reached.—From San Francisco, by steamer of Pacific Mail and Gulf Mail Steamship Lines; from Chilpancingo, by carretera.

Note.—A place of growing importance, easily reached by steamers plying along the west coast, also from Chilpancingo by National Railways. In normal times a considerable business is done. A number of important firms are located here and make direct importations.

AGUASCALIENTES, capital of State of Aguascalientes; population, 56,500; 415 miles (668 km.) from Tampico; 140 miles (226 km.) from Guadalajara; 364 miles (586 km.) from Mexico City; altitude, 6,280 feet. Climate, mild. Products: Corn, wheat, fruits. Industries: Cotton mills, tobacco factories, pottery works, flour mills, etc.

American consul and vice consul.

How Reached.—From Tampico, by rail, 19-hour journey by branch line of Mexican Central; from Mexico City, by Mexican Central Railway, average time four hours.

Trolley-car service from railway station to near-by towns. Restaurant at railway station.

Bankers.—Jose & Luis J. Laris, Apartado 34 (correspondents of banks in Mexico City).

Hotels.—Bellini, Washington, Paris, Moore, Frances, Fratria.

Note.—This place is an important agricultural center; also noted for its thermal springs and delicious fruits. The shops of the National Railways are located here. Normally a large business is transacted. Source of supply for the surrounding district. A number of business houses carry on a wholesale as well as a retail trade. Worthy of the attention of most salesmen.

CAMPECHE, capital of State of Campeche; population, 20,000; port on Bay of Campeche, western coast of peninsula of Yucatan; open roadstead; vessels anchor 5 to 10 miles offshore; 820 miles (1,320 km.) from Mexico City; 576 miles (930 km.) from Vera Cruz; 107 miles (173 km.) from Merida. Principal products: Logwood, salt, hemp, sisal, hides, coffee, sugar, cattle, chicle, fruit, etc.

American consular agent. Lloyd's agent, Domingo Diego.

How Reached.—From Merida, United Railways of Yucatan, average time five hours; from Vera Cruz, by Steamer (Cía. Mexico de Navegación); from New York, by Ward Line.

Hotels.—Betancourt, Monforte, Campechano, Numero, Pasaje, Universal.

Note.—An important port in southeastern Mexico; does a large export trade in logwood, salt, sisal, hides, and chicle. Worthy of the attention of salesmen who canvass that part of the Republic. There are a number of important houses that import direct.

CANANEA, State of Sonora; population, 20,000; on Southern Pacific Railway of Mexico; 87 miles (140 km.) from Nogales; 39 miles (64 km.)

from Naco, Ariz. Altitude 4,950 feet. Products: Copper, zinc, and other minerals.

American consular agent.

How Reached.—From Nogales, by rail, average time 6 hours; from Naco, by rail, 2½ hours.

Hotels.—Sonora, Mesa, Alejandria, Fashion.

Important Mines Near By.—Cananea; Cobre Grande; Veta Grande; Oversight; Capote; Eliza; Henrieta. Nearly all reached by trolley.

Note.—In the vicinity are several American copper companies, including the Cananea Consolidated Copper Co.

A large business is done, merchants importing direct. Easily reached from Naco, Ariz. Well worthy of the attention of most salesmen, as there are several commissaries and general stores here, some of which carry on a wholesale trade.

Travelers who are obliged to go to the smelters and mining camps, or to the business center (Ronquillo), will find it more economical to engage a room at the latter place and obtain meals at one of the restaurants.

This is one of the most important copper camps in the entire world. Thousands of men are employed, who earn good wages and consequently have a large buying capacity.

CELAYA, State of Guanajuato; population, 25,500; junction point of Mexican Central and National Railways; 70 miles (114 km.) from Guanajuato; 181 miles (292 km.) from Mexico City; 2 miles from Laja River. Altitude, 5,763 feet. Climate, temperate. Products: Cereals and potatoes. Industries: Agriculture and stock raising; also textile manufacturing, mills, etc.

How Reached.—From Guanajuato, by Mexican Central Railway; from Mexico City, by Mexican Central or National Railways, average time 8 hours, fare \$9.25 gold.

Hotels.—Concepcion, Guadalupe, Gomez, Central, Jardin.

Note.—This is a railroad junction point and a very considerable business is carried on. Under normal conditions there is much direct importing. Several of the houses do both a wholesale and retail business. Worthy of a visit by the majority of salesmen.

CHIHUAHUA, capital of State of Chihuahua; population, 40,000; 225 miles (360 km.) from Ciudad Juarez; 999 miles (1,609 km.) from Mexico City; 200 miles (322 km.) from Madera; 17 miles (27 km.) from Santa Eulalia. Altitude, 4,635 feet. Climate excellent. Best visiting time, winter; hottest months, May, June, and July (temperature, 94° F.); rainy season, June to October. Products: Cereals, woods, cattle, etc. Industries: Mining, smelters, iron foundries, soap factories, cottonseed mills, breweries.

American consul and vice consul.

How Reached.—From Ciudad Juarez, by Mexico Northwestern Railway, via Pearson and Madera; from Mexico City, by Mexican Central, fare \$50.75 gold; from Kansas City, by Kansas City, Mexico & Orient Railroad; from Santa Eulalia, by Ferrocarril Mineral de Chihuahua.

Bankers.—Metals & Mines Security Co. (correspondents).

Hotels.—Francia, Palacio, Vidal, Robinson, Ahuamada, Colon.

Note.—This is the most important city of north central Mexico. Many wholesale houses are established here. Serves as a base of supply for a rich surrounding mining and agricultural country. Normally an immense volume of business is done, both wholesale and retail. It is also important industrially. Should be included in the itinerary of practically every salesman.

CIUDAD JUAREZ, State of Chihuahua; population, 10,000, on Rio Grande, opposite El Paso, Tex.; 225 miles (360 km.) from city of Chihuahua; 1,222 miles (1,969 km.) from Mexico City. Altitude, 3,800 feet. Climate, cold. Products: Cattle, cereals, ores.

American consul and vice consul: Customs brokers: Angles & Velarde, Camilo Arguelles, Cuaron & Guijano, Escudero & Martinez, Raymundo S.

Garcia, Francisco D. Gonzalez, Lopez & Gonzales, Lucero & Montano, Mora & Gonzales, Perez & Grisanti.

How Reached.—From Chihuahua, by National Railway of Mexico; from Mexico City, by Mexican Central Railway; from El Paso, by trolley car.

Note.—A very important port of entry. A considerable volume of business is done. It is so close to El Paso that its possibilities should be investigated by all salesmen who visit that town or pass through en route to Chihuahua.

CIUDAD PORFIRIO DIAZ (formerly Piedras Negras), State of Coahuila; population, 8,000; on right bank of Rio Grande, opposite Eagle Pass, Tex.; third port of entry; on National Railroad; 316 miles (509 km.) from Saltillo; 66 miles (108 km.) from Guanajuato; 840 miles (1,356 km.) from Mexico City. Altitude, 702 feet. Climate, hot in summer, cool in winter. Principal products: Cereals, fruits, cotton, sugar, coal, gold, silver, copper. Industries: Railroad repair shops, stock raising, mining.

American consul and vice consul. Customhouse broker, F. A. Bonnet.

How Reached.—From Saltillo, by National Railroad of Mexico; from Guanajuato, by National Railroad of Mexico.

Hotels.—Monclova, Internacional, Piedras Negras, Continental, Canales, Sabinas.

Note.—One of the main gateways to northeastern Mexico. The National Railways have their workshops here. An important market for cattle, horses, sheep, goats, etc. In the vicinity are important coal mines and stock raising is also carried on. Numerous importing wholesale houses are located here. Can be easily canvassed in connection with Eagle Pass. Should receive the attention of salesmen who sell to wholesalers as well as retailers.

COATZACOALCOS (PUERTO MEXICO), State of Vera Cruz; port on Gulf of Mexico (harbor built by Mexican Government); landing, steamer to wharf; 188 miles (303 km.) from Salina Cruz. Altitude, 15 feet. Climate, hot and unhealthy. Principal products: Hides, coffee, sugar, rubber, dye-woods.

American consular agent. Customhouse agent, Pedro Ruiz. Lloyd's agent, John Dare Knight.

How Reached.—From Salina Cruz, by Tehuantepec National Railway; from Vera Cruz, by steamers; from New York by steamers.

Principal Hotels.—Colon, Two Republics, California.

Note.—This is the eastern terminus of the Tehuantepec National Railway. A considerable volume of business is transacted, as some of the houses here supply the surrounding country. Worthy of the attention of most salesmen.

COLIMA, capital of State of Colima; population, 27,000; on River Colima; on National Railways of Mexico; 541 miles (873 km.) from Mexico City; 60 miles (97 km.) from Manzanillo; 161 miles (260 km.) from Guadalajara. Altitude, 1,538 feet. Climate hot. Principal products: Coffee, cereals, woods, fruits, cacao, corn.

How Reached.—From Mexico City, by National Railways of Mexico; from Manzanillo, by Colima-Manzanillo Railway.

Hotels.—Juarez, Colima, America, California, Europa.

Note.—This city exports a large amount of coffee. Source of supply for the surrounding district. Numerous importing firms, some of whom do both a wholesale and retail business. Ordinarily worthy of the attention of salesmen who canvass fair-sized towns. Can be "worked" in connection with Guadalajara and Manzanillo.

CORDOBA, State of Vera Cruz; population, 15,000; 66 miles (107 km.) from Vera Cruz; 7 miles (12 km.) from Guadalupe; 16 miles (27 km.) from Orizaba; 146 miles (237 km.) from Jalapa; 197 miles (318 km.) from Mexico City. Altitude, 2,713 feet. Climate, hot and moist; May is the hottest month, January the coldest; rain during nine months of year. Products: Sugar, coffee, pineapples, bananas, tobacco, rice. Industries: Cattle raising, etc.

How Reached.—From Mexico City, by railroad (Ferrocarril Mexicano). Railroads: Mexican; Vera Cruz & Isthmus Railway; Ferrocarril de Cordoba & Huatusco.

Hotels.—Francia, El Fenix, Diligencia.

Note.—In the midst of a rich coffee district. In addition there is a large production of other tropical produce, including sugar, medicinal plants, tobacco, and dyestuffs. A very fair volume of business is carried on, and the principal merchants make direct importations.

CUERNAVACA, capital of State of Morelos; population 15,000; 75 miles (120 km.) from Mexico City. Altitude, 4,600 feet. Climate, hot. Principal products: Sugar, coffee, rice, cereals.

How Reached.—From Mexico City, by National Railways of Mexico, 4 hours.

Hotels.—Morelos, Barron, Cuernavaca, San Pedro, Moctezuma, Belle Vista.

Note.—A town of secondary importance, depending in the main on the wholesale houses of Mexico City. Cuernavaca is famous for its beautiful surroundings and wonderful vistas. It is a great favorite with tourists. The business is of a retail nature.

CULIACAN, capital of State of Sinaloa; population, 22,000; on Sinaloa River; 853 miles (1,375 km.) from Mexico City; 40 miles (62 km.) from Altata (port); 341 miles (550 km.) from Guaymas. Altitude 131 feet. Climate hot. Principal products: Sugar, cotton, cacao, etc. Industries: Principally agriculture.

How Reached.—From Altata, by Western Railway of Mexico; from Guaymas, by Southern Pacific Railway of Mexico. Carretera to Guaymas, Hermosillo, Nogales, and Mazatlan.

Hotels.—Rosales, Palacio, Central, Lonja.

Note.—Culiacan is in the midst of a rich agricultural district. Its port is Altata. Easily reached ordinarily via Southern Pacific Railway of Mexico from Guaymas. Salesmen who make the western coast of Mexico will find it advantageous to canvass this place as there are a number of important houses here which carry on both a wholesale and retail trade. There is also some outfitting done for the rich mining district upstate.

Altata is a small town 37 miles (56 km.) distant, reached by the Ferrocarril Occidental.

DURANGO, capital of State of Durango; population, 40,000; on Mexican International Railway; 96 miles (157 km.) southwest of Torreon; 104 miles (168 km.) northwest of Zacatecas; 540 miles (870 km.) from Ciudad Porfirio Diaz; 862 miles (1,389 km.) from Mexico City. Altitude, 6,207 feet. Climate, temperate. Principal products: Agricultural, copper, cattle. Industries: Stock raising and mining, cotton mills, foundry, tannery, milling, etc.

American consul and vice consul.

How Reached.—From Torreon, by International Railway; from Ciudad Porfirio Diaz, by International Railway, 23 hours. Branch railway line (Ramal de Guanecevi) to Guatimape, 37 miles (59 km.); Santiago Papasquiaro, 64 miles (103 km.); Tepehuanes, 83 miles (135 km.).

Hotels.—Richelieu, Fausto, Paris, Torreon, Gran Hotel Internacional.

Note.—In the center of a rich agricultural and mining district. Ordinarily a very important trade is done, there being several important wholesale houses. There is considerable direct importing. Durango is easily accessible from Torreon.

FRONTERA, State of Tabasco; population, 4,000; on Grijalva River, 5 miles (8 km.) from its mouth; landing, steamer to wharf; 3 miles (5 km.) from Gulf of Mexico; 72 miles (116 km.) from San Juan Bautista; 70 nautical miles from Laguna. Principal products: Mahogany, dye and cedar woods, sugar, tobacco, bananas, coffee, maize, and cacao. Industries: Sugar and saw mills, soap and brick factories.

American consul and vice consul.

How Reached.—From New York, by Ward Line; from Vera Cruz and Laguna, by Compañía Mexico de Navegación. River navigation communicates with interior via Grijalva, Usumacinta, and Palizada Rivers. Port of call for steamers of the Compañía Mexicana de Navegación, which connect with Ward Line steamers for the United States and Cuba.

Note.—A port through which moves a considerable volume of fruit, sugar, and other tropical products. Easily reached from Vera Cruz by local steamers, and can be canvassed in connection with Campeche, San Juan Bautiste, and Coatzacoalcos. There are several important wholesale houses here and a number of retail stores which do direct importing.

There are no railroads in this district, and the wagon roads are in bad condition. Rivers and small streams are the principal means of travel.

GOMEZ PALACIO, State of Durango; population, 20,000; on National Railways of Mexico; 155 miles (260 km.) from Durango; 3 miles (5 km.) north of Torreon; 708 miles (1,142 km.) from Mexico City. Altitude, 3,725 feet. Industries: Soap factory (largest in Mexico), cotton mills.

How Reached.—From Durango, by National Railways; from Torreon, by National Railways or trolley car; from Mexico City, by National Railways. Trolley connection with Ciudad Lerdo, which is on Mexican Central Railway.

Note.—Situated in the midst of a remarkably fertile cotton district. Ordinarily a large business is done. Easily canvassed in connection with Torreon and Ciudad Lerdo. Many dealers here are accustomed to make direct importations.

GUADALAJARA, capital of State of Jalisco; population, 140,000; 223 miles (359 km.) from Manzanillo, 381 miles (613 km.) from Mexico City. Altitude, 6,100 feet. Climate, temperate; temperature in summer averages 73° F. Principal products: Agricultural. Industries: Breweries, textile mills, flour mills, foundries, manufacture of hosiery.

American consul and vice consul.

How Reached.—From Manzanillo, by railroad, Colima-Manzanillo extension; from Mexico City, by National Railways of Mexico. Branch railway lines to Ameca, 56 miles (90 km.); to San Marcos, 29 miles (48 km.). Trolley car service throughout city and to nearby suburbs.

Banker.—Salvador Ugarte (correspondent of Mexico City bank).

Hotels.—Fenix, Garcia, Frances, Cosmopolita, Roma, Americano.

Note.—Chamber of commerce here. The city is second in importance in the Republic. There are numerous important wholesale and retail establishments which make direct importations. Should be visited by practically all salesmen. Easily reached from Mexico City or from the north.

GUANAJUATO, capital of State of Guanajuato; population, 45,000; 14 miles (24 km.) from Silao; 252 miles (406 km.) from Mexico City; 34 miles (55 km.) from Irapuato. Altitude, 6,830 feet. Climate, temperate, often cold; heavy rains June to October. Principal products: Gold, silver, iron, tin, lead, copper, mercury, bismuth, hematite, sulphur. Industries: Mining.

How Reached.—From Mexico City, by Mexican Central Railway; from Irapuato, by branch line of Mexican Central Railway. Trolley cars run from railway station to hotels.

Baggage.—Agents of the Robt. McCormack Express Co. meet all trains and arrange to have baggage taken to hotel.

Hotels.—Woods, Palacio, Banos, Union, Gran Hotel Espanol, Zozaya.

Note.—This is one of the oldest and most picturesque towns of the Republic. It is the center of one of the richest mining areas of the world, both gold and silver being produced. There are several important houses here which carry on both a wholesale and retail business. Generally speaking, this place is worthy of a visit by the majority of salesmen.

GUAYMAS, State of Sonora; population, 17,000; on the Gulf of California; landing by shore boats (travelers should bargain with boatmen be-

fore going ashore, otherwise charge may be excessive); 90 miles (145 km.) from Hermosillo; 1,280 miles (2,063 km.) from Mexico City; 265 miles (427 km.) from Nogales. Climate, temperate; minimum temperature in winter 67° F.; uncomfortable in summer owing to humidity; rainy season, July to September. Principal products: Cereals, fruits.

American consul and vice consul. Lloyd's agent, John Davidson. Custom-house broker, W. Iberrie e Hijos.

How Reached.—From Sonora, Nogales, or Hermosillo, by Sonora Railway (Southern Pacific of Mexico). Port of call for Gulf Mail Steamship Co. and Compañía Navegación Mexico y Oriente.

Hotels.—Borboa, Central, Alamada, Albin.

Note.—An important business is carried on, there being numerous houses here which do both a wholesale and retail business. Should be canvassed by all salesmen who make western Mexico. Easily reached from Hermosillo. From this point salesmen can also canvass Lower California and the western coast of Mexico.

HERMOSILLO, capital of State of Sonora; population, 20,000; on the Sonora River; 175 miles (282 km.) from Nogales; 1,700 miles (2,736 km.) from Mexico City; 90 miles (145 km.) from Guaymas. Altitude, 672 feet. Climate hot in summer, excellent during winter; rainy season, July to September. Principal products: Gold, silver, copper, cereals, fruits. Industries: Flour mills, breweries, ice factories, foundries, etc.

How Reached.—From Nogales and Guaymas, by Southern Pacific Railroad of Mexico.

Hotels.—Gran Hotel Cohen, Arcadia, Americano, Cambuston.

Note.—Chamber of Commerce and Agriculture here. Easily reached from Nogales. Center of a most important mining district, with numerous gold, silver and copper mines in the vicinity. Agriculture is also carried on extensively. Numerous important wholesale and retail houses, some of which import direct. Should be canvassed by all salesmen.

Nacozari.—While in Hermosillo inquiry should be made in regard to business conditions at Nacozari, as many travelers do a fair trade there.

IRAPUATO, State of Guanajuato; population, 25,500; 219 miles (353 km.) from Mexico City; 34 miles (55 km.) from Guanajuato; 161 miles (260 km.) from Guadalajara. Altitude, 5,655 feet. Climate temperate. Products: Cereals and fruits. Industries: Mining, electric light and power plant, iron foundry, tanning.

How Reached.—From Guanajuato, by Mexican Central Railway; from Guadalajara, by branch line, 6 hours.

Hotels.—Gongora, Central, Independence, San Salvador, Francia, Pan Americano.

Note.—A junction point on the Mexican Central Railway; travelers change cars for Guadalajara. Center of a rich agricultural district. Under normal conditions a large trade is done, chiefly retail. Dealers make direct importations.

Travelers for the Lake Chapala region, Tuxpam, Zamora, Colima, Manzanillo, and Pacific coast points change cars here.

JALAPA, State of Vera Cruz; population, 25,000; on Interoceanic Railway and Jalapa & Teodelo Railway; 211 miles (342 km.) from Mexico City; 81 miles (131 km.) from Puerto de Vera Cruz. Altitude, 4,658 feet. Products: Coffee, sugar, maize, vanilla, tobacco, oranges, bananas, jalap, pineapples. Industries: Cotton, cigar, and cigarette factories, etc.

How Reached.—From Mexico City, by Interoceanic Railway, 13 hours.

Hotels.—Gran Hotel, Limon, Mexico, Juarez.

Note.—In the center of a very rich agricultural district, coffee being an important product. Business is chiefly retail, but some of the dealers make direct importations. There is manufacturing on a small scale. This town is worthy of the attention of those who "make" the smaller towns. A chamber of commerce is here.

JIMENEZ, State of Chihuahua; population 10,000; near River Florido; 97 miles (157 km.) from Rosario; 145 miles (233 km.) from Chihuahua. Industries: Flour mills. Products: Cereals, tobacco, potatoes, silver, lead, cotton. Climate temperate.

How Reached.—From Rosario, by Parral branch of National Railways.

Hotels.—New York House, Mrs. Town's Hotel.

Note.—This town is in the center of a rich agricultural district. There are several important supply houses here, some of which do both a wholesale and retail business. There are also important lead, silver, and other mines in the vicinity.

LA PAZ, Lower California; port on Gulf of California; population, 6,000; 37 miles (60 km.) from San Antonio, at which point there are important pearl fisheries, gold and silver mines; 2,185 miles (3,519 km.) from Mexico City; 220 nautical miles south of Guaymas. Products: Gold, silver, copper, marble, pearls, cereals, sugar, cattle, etc. Industries: Mining and pearl fishing.

How Reached.—From Santa Rosalia and Guaymas, by steamers of Cia. Naviera del Pacifico.

Customhouse broker, Pena y Carrillo. Lloyd's agent, F. Chacon.

Hotels.—Pacifico, Palacio.

Note.—This city is the capital of the district and a very important port. Considerable mining is carried on, and the pearl fisheries are also important. There are a number of important wholesale and retail houses here which make direct importations. Easily canvassed in connection with Hermosillo and Guaymas.

LEON, State of Guanajuato; population, 64,000; 35 miles (56 km.) from Guanajuato; 259 miles (416 km.) from Mexico City. Altitude, 5,855 feet. Climate, mild. Products: Cereals, potatoes, pulque, etc. Industries: Mining, stock raising, textile weaving, shoe manufacturing, manufacture of soap, woolen goods, straw hats, etc.

How Reached.—From Guanajuato and Mexico City, by Mexican Central Railway.

Hotels.—Mexico, Guerra, Hidalgo, Velasco, Colon.

Note.—Principal town in the State. In the vicinity is considerable agricultural wealth. A very fair business is done and some of the houses carry on both a wholesale and retail trade. Generally speaking, Leon is worthy of the attention of most salesmen.

MANZANILLO, State of Colima; port on Pacific coast; population, 2,000; 60 miles (97 km.) from Colima; 603 miles (968 km.) from Mexico City; 223 miles (359 km.) from Guadalajara. Products: Cereals, fruits, woods. Industries: Stock raising and mining.

American consul. Lloyd's agent (acting), Richard M. Stadden. Customhouse brokers, Blas Ruiz and Agencia Aduanal.

How Reached.—From Guadalajara, by Colima-Manzanillo Railway; from San Francisco, by Pacific Mail steamers; from Colima, by Colima-Manzanillo Railway.

Hotels.—Reforma, Manzanillo, Ferrocarril, Pacifico, de los Chinos.

Note.—Manzanillo is a port of entry and distributing center for this part of the west coast. A very fair volume of business is done, there being considerable export. Should be visited by the majority of salesmen.

MATAMORAS, State of Tamaulipas; seaport at mouth of Rio Grande; population, 18,000; 30 miles (48 km.) from the Gulf; 206 miles (331 km.) from Monterey; 10 miles (16 km.) from Torreon. Altitude, 26 feet. Climate, hot. Products: Cotton, wheat, corn, beans, sugar.

American consul and vice consul. Customhouse brokers, J. S. & M. H. Cross, Sucs. Lloyd's agent, William Kelly.

Hotels.—Dourroset, Matamoras, Cardenas.

How Reached.—From Monterey, by National Railway, branch line, 12 hours; from Torreon, by Mexican Central Railway.

Note.—Matamoras is a port of entry opposite Brownsville, Tex. A considerable volume of trade, both import and export, is carried on. A number of important houses are established here, some of which carry on a considerable wholesale business. In the vicinity are a number of small towns; these include Burgos, Camargo, Mier, Reynosa, etc.

MAZATLAN, State of Sinaloa; population, 28,000; at the mouth of the Gulf of California; landing from steamer to launch of the Expreso Maritimo de Mazatlan; most important port on west coast of Mexico; 152 miles (246 km.) from Culiacan; 721 miles (1,181 km.) from Nogales; 461 miles (745 km.) from Guaymas; 135 nautical miles from San Blas. Products: Cereals, fruits, sugar, tobacco. Industries: Mining, tanneries, soap and cigar factories, machine shops, foundries, ice and electric plants, etc.

American consul and vice consul. Lloyd's agent, J. R. Farber. Customhouse brokers, Cevallos & Lupio, G. A. Douglas, and Francisco Eschequien, Sucs.

How Reached.—From San Francisco, by Pacific Mail steamers or rail direct; from Culiacan, Nogales, and Guaymas, by Southern Pacific of Mexican Railway. Stage service to near-by towns by the Diligencia Generales de Occidente. Port of call for many steamship lines.

Banker.—Manuel Gomez Rubio (correspondent).

Hotels.—Central, Francia, Felton, Mexico.

Note.—A very important port on the west coast of Mexico. Through this place a large export and import trade is done. There are many wholesale houses here, as well as retail firms who carry on a direct importing business. In the vicinity are numerous rich mines. This place should be included in the itinerary of all salesmen who visit the western portion of Mexico. Can easily be visited in connection with Hermosillo, Guaymas, and Guadalajara.

Mazatlan is the distributing center for points on the Gulf of Lower California and also for interior points.

MERIDA, capital of State of Yucatan; population 63,000; 107 miles (173 km.) from Campeche; 26 miles (42 km.) from Progreso (port); 776 miles (1248 km.) from Mexico City. Altitude 25 feet. Climate, hot. Products: Sisal, hemp, corn, cattle, fruits, cereals, sugar, timber. Industries: Flour mills, cigar factories, etc.

How Reached.—From Campeche, by United Railway of Yucatan, average time of trip 5 hours; from Progreso, by United Railways of Yucatan, 1 hour. Trolley-car service to various points.

Hotels.—Bazar, Alameda, Gran, Paris, Francia, Suiza.

Banker.—Arthur Pierce (correspondent).

Note.—This is an exceedingly important and wealthy business community. It is dependent chiefly upon the exports of henequen and sisal, but in addition there is a considerable export of hides, logwood, etc. Merida is worthy of serious attention, and some houses find it advantageous to establish an agency here. Can be easily canvassed in connection with the territory of southeastern Mexico, being usually included in the district allotted to salesmen who canvass Vera Cruz and other points to the southeast.

MEXICO CITY, Federal District; capital of the Republic; population, city 500,000, district 720,000; 999 miles (1,609 km.) south of Chihuahua; 1,221 miles (1,971 km.) from El Paso, Tex.; 75 miles (120 km.) from Cuernavaca; 265 miles (425 km.) from Vera Cruz; 1,659 miles (2,675 km.) from Kansas City. Altitude 7400 feet. Climate, pleasant, with the exception of some disagreeable days in midwinter; temperature averages 60° F. Industries: Manufacture of cigars and cigarettes, pottery, gold and silver work, feather work, mining.

American ambassador, consul general and vice consul. American Chamber of Commerce.

Customhouse Brokers.—Almacenes Generales de Deposito de Mexico y Vera Cruz, S. A., Av. San Francisco; Cibert & Rouston, Sucs. Centro Mercantil; International Transfer Co., S. A., Av. Independencia 47; La Agencia Maritima

de Mexico, S. A., 1A San Juan de Letran 5; D. Loustan & Cia., Sucs., Av. San Francisco 57.

Lloyd's agents, Phillips & Co's. Successors.

How Reached.—From El Paso by Mexican Central Railway, 48-hour trip; from Eagle Pass, by Mexican International Railway; from Vera Cruz, by Mexican or Interoceanic Railway.

Railroads.—Interoceanic; Mexican Central; National of Mexico; San Rafael & Atlixco; Monte Alto & Tlanepantla.

Banks.—The following are among the important banking institutions in Mexico City that are in a position to finance import and export trade: Mexico City Banking Corporation (American), Avenida F. II Madero 14; Mercantile Banking Co. (American), Avenida F. I Madero 12; Banque Francaise du Mexique (French), Avenida Uruguay 53; Bank of Montreal (Canadian), Avenida 5 de Mayo 2; Canadian Bank of Commerce (Canadian), Avenida F. I Madero 50; Cia. Bancaria de Paris & Mexico, Capuchinas 51; Lacaud e Hijo.

The following New York banks have representatives in Mexico City: National City Bank, J. H. Durell, Avenida F. I Madero 12; Equitable Trust Co., W. B. Glenn, Capuchinas 48; Irving National Bank J. W. Rowe, Capuchinas 48.

Mercantile Agencies.—R. G. Dun & Co., Capuchinas 48; Bradstreet's, San Juan de Letran 5.

Some Leading Hotels.—Hotel Iturbide, Av. San Francisco 17; Hotel Lascurain, Av. Hombres Ilustres 59; Hotel Isabel, El Salvador 68; Hotel St. Frances, Av. Juarez 105; Hotel Porter, 1a San Juan Letran 12; Hotel Alameda, Av. Hombres Ilustres 65; Regis Hotel, Av. Juarez.

Note.—Mexico City is the largest and most important commercial and industrial center of the entire Republic. The chief wholesale houses in practically all lines are located here. Easily accessible from the north, south, east, and west. The logical point for the establishment of a general agency. Should be thoroughly canvassed. Can be made headquarters for travelers.

MONCLOVA, State of Coahuila; population, 6,700; 942 miles (1,515 km.) from Mexico City; 107 miles (176 km.) from Monterey; 135 miles (217 km.) from Saltillo; 146 miles (238 km.) from Ciudad Porfirio Diaz; 236 miles (379 km.) from Torreon. Altitude, 1,926 feet. Climate, hot. Products: Cereals, sugar, cattle. Industries: Stock raising.

How Reached.—From Ciudad Porfirio Diaz and Torreon, by International Mexican Railway. Branch line to Cuatro Ciénegas, 42 miles (67 km.)

Hotels.—Internacional, Central, Juarez.

Note.—This city is in a rich agricultural district. There are some very important dealers located here, some of whom do both a wholesale and retail business. In general, it is canvassed by most salesmen who visit the smaller towns.

MONTEMORELOS, State of Nueva Leon; population, 5,000; on National Railways of Mexico; 59 miles (96 km.) from Monterey; 117 miles (187 km.) from Victoria. Products: Oranges, corn, pecan nuts, sugar cane, fiber.

How Reached.—From Monterey and Victoria, by National Railways of Mexico.

Note.—This place is easily reached from Monterey. Merchants are largely dependent upon the dealers of that city, but there is some direct importing.

MONTEREY, capital of State of Nuevo Leon; population, 85,000; 322 miles (518 km.) from Tampico; 635 miles (1,022 km.) from Mexico City; 206 miles (331 km.) from Matamoras. Altitude, 1,624 feet. Climate, good; temperature averages 30° F. during short winter, 86° in summer; light snows during January and February. Products: Iron, coal, fruits, sugar, woods. Industries: Smelting works, ice factories, flour mills, breweries, foundries, locomotive and machine shops, steel works, stock raising.

American consul general and vice consul.

How Reached.—From Mexico City, by National Railways of Mexico; from Tampico, by National Railways of Mexico, 14 hours.

Railroads.—Mexican Mineral and National Railways of Mexico. Trolley-car service throughout city.

Bankers.—A. Zambrano e Hijos (correspondents).

Hotels.—Aurora, Iturbide, Continental, Gulf, Independencia, Bridges, Hidalgo, Monterey, Baron, Windsor, Ancira, Nacional.

Note.—A most important city in northeastern Mexico, modern and progressive. It is sometimes called the "Chicago of Mexico." There is a large American colony here. Monterey has numerous wholesale and retail firms who make direct importations. In the vicinity are many mines, while flour milling and other industries are carried on. Should be visited by all salesmen. Not infrequently Monterey is made the headquarters for the northeastern division of the Republic. The largest steel works in the Republic are located here. The city has a chamber of commerce.

MORELIA, capital of State of Michoacan; on Rio Grande and Rio Chiquita; population, 41,000; 230 miles (372 km.) northeast of Mexico City; 56 miles (91 km.) from Acambaro. Altitude, 6,396 feet. Climate, dry and uniformly temperate. Industries: Stock raising, agriculture, milling, etc. Products: Cattle and agricultural products.

How Reached.—From Mexico City, by National Railways of Mexico; from Acambaro, by railroad.

Hotels.—Del Jardin, Comercio, Gran Hotel Morelos.

Note.—Morelia is located in a rich agricultural district and is easily accessible from Mexico City. Many of the dealers make direct importations from the United States and there are several houses that carry on both a wholesale and retail trade. Worthy of the attention of salesmen who canvass towns of fair size.

MUZQUIZ, State of Coahuila; population, 7,000; on Mexican National Railways; 25 miles (40 km.) from Barroteran. Products: Chiefly coal and agricultural products.

How Reached.—From Barroteran, by Carbonifera de Coahuila branch of National Railways.

Note.—A progressive and rapidly growing town in a rich agricultural district. In the vicinity are some large coal mines. A brisk trade is carried on and salesmen in general will find it worthy of a visit.

NOGALES, State of Sonora; population, 6,000; 88 miles (140 km.) southwest of Benson, Ariz.; 265 miles (427 km.) from Guaymas; 175 miles (282 km.) from Hermosillo. Altitude, 4,000 feet. Climate, healthful; warm days, cool nights. Product and industries: Mining, agriculture, etc.

American consul and vice consul.

How Reached.—From Guaymas, by Southern Pacific Railway; from Benson (Ariz.), via Southern Pacific, 4 hours.

Hotels.—National, Moctezuma.

Note.—Canvassed in connection with Nogales, Ariz. The port of entry for Hermosillo and the rich State of Sonora. Worthy of the attention of most salesmen.

Inquiry should be made at Nogales regarding conditions at Naco (Sonora). Considerable trade is carried on there also.

NUEVO LAREDO, State of Tamaulipas; on Rio Grande, opposite Laredo, Tex.; population, 8,000; 167 miles (208 km.) from Monterey. Altitude 459 feet.

American consul and vice consul.

How Reached.—From Monterey, by National Railways of Mexico.

Note.—Nuevo Laredo is a port of entry. A fair volume of business is done here.

OAXACA, capital of State of Oaxaca; population 40,000; 228 miles (367 km.) from Puebla; 288 miles (464 km.) from Mexico City; 288 miles (464 km.) from Vera Cruz; 43 miles (70 km.) from Ejutla. Altitude, 5,070 feet.

Products: Coffee, silver, gold, skins, hides, tobacco. **Industries:** Principally mining and agriculture; flour mills, breweries, etc.

American consular agent.

How Reached.—From Puebla, by Mexican Southern Railway, 12 hours; from Mexico City, by Mexican Southern Railway; from Ejutla, by Oaxaca & Ejutla Railway. Branch line to Taviche, 34 miles (55 km.).

Banker.—George M. Houston (correspondent).

Hotels.—Chavez, Francia, Alameda, Palacio, Nacional, Martinez.

Note.—An important commercial center in the southern part of Mexico. In the vicinity are numerous mines, while agriculture, cattle raising, etc., is carried on. Coffee is the principal crop of the district. There are a number of good commercial establishments, some of which import direct. Usually found worthy of the attention of most salesmen.

The Ruins of Mitla, 25 miles (40 km.) southeast of Oaxaca, are reached by horseback. These are among the most interesting ruins in Mexico.

ORIZABA, State of Vera Cruz; population, 35,000; on River Orizaba; 83 miles (133 km.) from Vera Cruz; 184 miles (292 km.) from Mexico City; 167 miles (264 km.) from Jalapa. Altitude, 4,028 feet. Climate temperate. **Products:** Cotton, coffee, sugar. **Industries:** Jute and cotton goods manufacturing; flour mills, power plants, etc.

How Reached.—From Vera Cruz and Mexico City, by Mexican Railway. Trolley car service to suburbs.

Hotels.—Central, Imigdio, Gran, Francia, La Broda, Espanola, Borda-Diligencias.

Note.—This town is midway between the "hot country" and the plateau. Famous for its cotton mills, among the largest in Mexico. Agriculture is also carried on very extensively. There are a number of houses which do an excellent business and can import direct. This place is worthy of the attention of most salesmen.

PACHUCA, capital of State of Hidalgo; population, 45,000; 71 miles (114 km.) from Mexico City. Altitude, 8,023 feet. Climate, cool. **Products:** Wheat and other cereals, ores. **Industries:** Mining, smelting, and agriculture.

Railroads.—Mexican Railway and National Railways of Mexico.

How Reached.—From Mexico City, by railroad, two-hour trip. Trolley from railway station to center of town, about a mile distant.

Hotels.—Central, Palacio, Grenfell.

Note.—Pachuca is the center of a very rich mining district, some very important silver mines being located in the immediate vicinity. Although easily accessible from Mexico City, many of the dealers are accustomed to make direct importations and some carry on both a wholesale and retail trade. Worthy of the attention of the majority of travelers.

Real de Monte, 6 miles (10 km.) distant, is one of the most extensive mining properties in Mexico.

PARRAL, State of Chihuahua; population, 15,000; 174 miles (280 km.) from Chihuahua; 911 miles (1,463 km.) from Mexico City. Altitude, 5,701 feet. Climate, temperate. **Products:** Cereals, gold and silver. **Industries:** Mining and agriculture.

American consular agent.

How Reached.—From Chihuahua, by National Railways of Mexico; from Durango, by Parral & Durango Railway.

Hotels.—Gran Hotel Central, Paris, Gran Hotel Frances.

Note.—Center of a rich mining district, both gold and silver being mined. Easily canvassed from Chihuahua and should be visited by most salesmen. There is considerable outfitting business and a large retail trade, the dealers making direct importations.

The Parral mining district includes the following municipalities: Parral, Minas Nuevas and Santa Barbara.

PARRAS, State of Coahuila; population, 6,500; 77 miles (126 km.) from Torreon; 99 miles (160 km.) from Saltillo; 12 miles (20 km.) from Paila; 15 miles (25 km.) from Madero. Products: Cereals, cotton, sugar, fruits. Industries: Flour mills, etc.

How Reached.—From Torreon, by International Railway of Mexico; from Madero, by Central Railway; from Paila, by International Railway; from Saltillo, by Coahuila & Pacifico Railway.

Hotel.—Hidalgo.

Note.—A fair volume of trade is transacted. Chiefly dependent upon Monterey and Torreon. Visited by salesmen who canvass the smaller places.

PROGRESO, port in State of Yucatan; landing, vessels anchor offshore; population, 5,500; 26 miles (42 km.) from Merida; 140 nautical miles from Campeche. Altitude, sea level. Climate, hot. Products: Sisal, chicle, hides.

American consul and vice consul. Lloyd's agent, Arthur Peirce. Custom-house brokers, Agencia Comercial, A Escalante e Hijos, and Avelino Montes, S. en C.

How Reached.—From New York, by Ward Line steamers; from Merida, by United Yucatan Railway, 1 hour; from Campeche, by steamer.

Hotels.—Acosta, Garcia, Morales.

Note.—Principal port of entry for the State of Yucatan. Although the chief commercial houses are at Merida, 26 miles (42 km.) distant, there are a number of firms here who do a very fair volume of business. It is easily canvassed in connection with Merida, and its possibilities can be investigated by salesmen who visit that city.

Visitors will find it advantageous to proceed immediately to Merida and stop at a hotel there.

PUEBLA, capital of State of Puebla; population, 110,000; 130 miles (210 km.) from Mexico City; 228 miles (366 km.) from Oaxaca. Altitude 7,200 feet. Climate cold. Products: Beans, maize, sugar, fruits. Industries: Textile mills, glass and other factories, tile works.

American consular agent.

How Reached.—From Mexico City, by Interoceanic Railway, 5 hours; from Oaxaca, by Mexican Southern Railway, 12 hours.

Railroads.—Industrial of Puebla; Interoceanic; Mexican; Mexican Southern. Trolley car service throughout city.

Bankers.—Victoriano Alvarez, S. en C. (correspondent).

Hotels.—Pasaje, American, Barcelona, Francia, Espanol, Juarez, Inglis, Jardin, Magloire, Dilegencia.

Note.—The chief city of the State and the capital. It is the third city in population in the Republic. Considerable manufacturing is carried on. There are numerous important wholesale houses, which can purchase large quantities of goods, and there are also retail dealers who make direct importations. Should be visited by all salesmen.

QUERETARO, capital of State of Queretaro; population, 38,000; on River Queretaro; 167 miles (269 km.) from Mexico City; 100 miles (162 km.) from Irapuato. Altitude 5,947 feet. Climate temperate. Products: Cereals, coffee, sugar, tobacco, opals. Industries: Textile mills, flour mills, tanning, etc.

How Reached.—From Mexico City and Irapuato, by Mexican Central Railway. Trolley service to suburbs.

Hotels.—American, Internacional, Gran, Hidalgo.

Chamber of Commerce.

Note.—A growing commercial center. There is some manufacture of cotton goods as well as other industries. Business is chiefly retail, but a number of the houses import direct.

Hercules is only a short distance from Queretaro. It is noted for its textile mills, among the largest in the Republic.

SALINA CRUZ, port in State of Oaxaca; population, 6,000; landing, steamer to wharf; 188 miles (303 km.) from Puerto Mexico; 13 miles (21 km.) from Tehuantepec.

American consul and vice consul. Customhouse brokers, Tehuantepec National Railway.

How Reached.—From Puerto Mexico, by Tehuantepec Railway; from San Francisco, by Pacific Mail steamers; from Tehuantepec, by Tehuantepec Railway.

Steamship Service.—Pacific Mail Steamship Co. to San Francisco and Central American ports; Toyo Kisen Kaisha to San Francisco and South American ports; Cia. Naviera del Pacifico to Mexican ports north of Salina Cruz.

Hotels.—Salina Cruz, Terminal.

Note.—A very important port of entry on the Gulf of Tehuantepec. Pacific terminus of the Tehuantepec National Railway; there is a considerable volume of traffic. Ordinarily considerable business is transacted. Some of the firms do a wholesale trade with the surrounding country; there is also some direct importing. Can be easily canvassed in connection with Coatzacoalcos and the southeastern coast of Mexico.

SALTILLO, capital of State of Coahuila; population, 35,000; 234 miles (376 km.) from Laredo, Tex.; 74 miles (120 km.) southeast of Monterey; 568 miles (915 km.) from Mexico City; 78 miles (131 km.) from Concepcion; 210 miles (336 km.) from Torreon. Altitude, 5,337 feet. Climate, temperate. Products: Maize, wheat, potatoes, textiles, coal. Industries: Textile mills, corn and flour mills, tanneries, mining, etc.

American consul and vice consul.

How Reached.—From Torreon, by Coahuila & Pacific Railway, 10 hours; from Tampico and Mexico City, by National Railways; from Concepcion, by Coahuila & Zacatecas Railway.

Bankers.—A. Zambrano e Hijos (correspondents).

Hotels.—Coahuila, Plaza, Central, Progreso, Universal, Saltillo, Tomasichi.

Note.—Saltillo has a number of textile mills and other industries. In the vicinity are the mines of the famous Mazapil Copper Co. The chief houses carry on a brisk trade and make direct importations. This place is easily reached from Monterey.

SAN BLAS, Territory of Nayarit; at mouth of Rio Grande; population, 3,000; 38 miles (62 km.) from Tepic; 135 nautical miles from Mazatlan. Products: Rubber, hides, sulphur, tobacco, coffee, sugar, bananas, oil, nuts.

How Reached.—From San Francisco and Mazatlan, by Pacific Mail and Gulf Mail steamers.

Customhouse Broker.—Manuel Lanzagorta.

Hotel.—La Bola de Oro.

Note.—A port in the Territory of Tepic. Although the population is small, there are several importing firms who carry on a trade with the surrounding country; they also act as exporters. This place is somewhat inaccessible, but frequently canvassed by those who make the territory along the west coast.

SAN JOSE DEL CABO, State of Baja California, at the extreme southern end of peninsula; population, 3,300; 143 miles (231 km.) from La Paz. Industry: Mining.

How Reached.—From La Paz, by steamer.

Note.—This place is important chiefly as a mining and salt district. The business is of a general retail character.

SAN JUAN BAUTISTA, capital of State of Tabasco; on River Mazcalapa; population, 14,000; 72 miles (116 km.) from Frontera. Climate, hot. Products: Coffee, cacao, tobacco, sugar, vanilla, cereals, dyewoods, rubber.

How Reached.—From Frontera, by river steamer, Los Vapores Correos Mexicanos.

Lloyd's agent, Romano & Co.

Steamship Service.—Los Vapores Correos Mexicanos to Frontera, Amatitan, and other points on the Grijalva, Usumacinta, and Palizada Rivers.

Hotels.—Hidalgo, Juarez, La Galatea, Zaragoza.

Trolley car service to near-by towns.

Note.—This is a very important commercial center, as a large export and import trade is carried on. Many of the houses do a very brisk business and make direct importations. Worthy of the attention of commercial travelers. Usually canvassed from Vera Cruz.

SAN LUIS POTOSI, capital of State of San Luis Potosi; population, 90,000; 282 miles (454 km.) from Tampico; 327 miles (526 km.) from Mexico City; 139 miles (224 km.) from Aguascalientes; 38 miles (60 km.) from Aguacatal. Altitude, 6,121 feet. Climate, temperate. Industries: Tanning, flour mills, mining, smelting, woolen mill, nail and soap factories, breweries, etc.; silver, gold, and lead mines near by.

American consul and vice consul.

How Reached.—From Mexico City and Tampico, by National Railways; from Aguascalientes, by branch line of Mexican Central; from Aguacatal, by Potosi & Rio Verde Railway.

Railroads.—National Railways of Mexico; Potosi & Rio Verde; Mexican Central.

Trolley-car service throughout city and to suburbs.

Hotels.—Internacional, Progreso, Sanz, Comercio, Jardin.

Bankers.—Deutz, Hnos. (correspondents).

Note.—A very important commercial center. There are a number of manufacturing concerns located here, while mining is one of the chief industries of the vicinity. Both wholesale and retail houses are located at this point, many of which import direct. Canvassed from Mexico City or Monterey. Worthy of the attention of most salesmen.

SANTIAGO PAPASQUIARO, State of Durango; population, 5,000; 64 miles (103 km.) northwest of Durango. Climate temperate. Products: Gold, silver, cereals, potatoes. Industry: Mining.

How Reached.—From Durango, by Guanacevi branch of National Railways of Mexico.

Hotels.—Del Jardin, Juarez.

Note.—A mining town not very far from Durango and dependent chiefly upon that city for its supplies. Some of the dealers, however, make direct importations.

SIERRA MOJADA, State of Coahuila; population, 8,300; 384 miles (620 km.) from Saltillo; 136 miles (220 km.) from Monclova. Altitude, 4,749 feet. Products: Gold, silver, lead, copper, iron, coal. Industry: Mining.

How Reached.—From Escalon, by Mexican Northern Railway. At Escalon connection can be made with the Mexican Central Railway.

Note.—A mining town in the State of Coahuila. A very fair volume of trade is carried on, due to the mining industry. Many dealers import direct. Canvassed by a side trip from Escalon station on Mexican Central Railway.

TAMPICO, State of Tamaulipas; population, 20,000; port on Gulf of Mexico, 6 miles (10 km.) from mouth of River Panuco; landing, steamer to wharf; 85 nautical miles from Tuxpam; 602 miles (970 km.) from Mexico City; 548 miles (881 km.) from Torreon; 147 miles (236 km.) from Ciudad Victoria; 282 miles (454 km.) from San Luis Potosi. Climate, hot and damp. Products: Silver, lead, hemp, coffee, hides, sulphur, sugar, crude oil, asphalt, cotton.

American consul and vice consul. Lloyd's agents, Viya Hermanos, Sues. Customhouse brokers, Jose Ignacio Isuai and Lastao y Cia.

How Reached.—From New York, by Ward Line steamers; from Torreon, by National Railways (Central); from Aguascalientes, by rail via San Luis Potosi; from Monterey, by National Railways.

Railroads.—Tampico is the terminus of two branches of the National Railways. One leads to Monterey and the border towns of Laredo, Brownsville, and Eagle Pass, Tex., and the other to San Luis Potosi and across the rich tropical section to the west of Tampico; thence up a steep mountain grade to the elevated central plateau.

Trolley car service to suburbs.

Steamship Service.—Compañía Mexico de Navegacion; Ward Line, weekly service.

Panuco River Service.—Tampico Navigation Co.; weekly service to Panuco, Hacienda Ganahl, El Higo, and other points.

Banks.—Tampico Banking Co. and Petroleum Bank & Trust Co.

Hotels.—Imperial, Southern, Palacio, Bristol, Continental.

Note to Travelers.—This port owes its chief prosperity to the oil industry, which has developed enormously within the last few years. It is also the entrepôt for eastern and central Mexico and a large volume of trade passes through it. There are numerous important houses here, many of which import direct. Worthy of the attention of all travelers.

Tampico is the chief commercial city of the State; as a port it ranks second only to Vera Cruz.

TEHUANTEPEC, State of Oaxaca; on Tehuantepec River; population, 16,000; 13 miles (21 km.) from Salina Cruz (port); 177 miles (285 km.) from Coatzacoalcos. Altitude, 33 feet. Products: Brazil wood, indigo, coffee, hides.

How Reached.—From Salina Cruz and Coatzacoalcos (Puerto Mexico), by Tehuantepec Railway.

Lloyd's agent, William Wiseman.

Hotels.—Europa, Del Globo.

Note.—The proximity of this point to Salina Cruz and its location in the midst of a rich agricultural district gives its business some importance. Generally speaking, it is worthy of the attention of travelers who make small towns.

TEPIC, capital of State of Nayarit; population, 18,000; 427 miles (690 km.) from Mexico City. Altitude, 2,775 feet. Climate, temperate. Products: Coffee, sugar, tobacco, rice, rubber.

How Reached.—From Mazatlan and Guadalajara, by Southern Pacific Railway.

Diligence service to near-by points.

Hotels.—La Bola de Oro, La Fortuna.

Note.—Tepic is in the midst of a rich agricultural region. A fair business is done and some of the merchants are in a position to make direct importations.

TOLUCA, capital of State of Mexico; population, 38,000; 45 miles (73 km.) southwest of Mexico City. Altitude, 8,761 feet. Climate, cold in winter, summer delightful. Products: Cereals and fruits. Industries: Stock raising, breweries, corn and flour mills, cotton mills, tanneries, electric light and power plants.

How Reached.—From Mexico City, by National Railways.

Toluca & Tenango Railway and San Juan de las Huertas Railway run frequent trains to San Francisco, 2½ miles (4 km.); Metepec, 4½ miles (7 km.); Mexicaleingo, Calimaya, San Augustin, Tenango, and Alta.

Hotels.—Sociedad, San Carlos, Leon de Oro, Del Deposito, Ferrocarril.

Note.—An important industrial and agricultural center, easily accessible from Mexico City. Some very important firms and industries are located here which are heavy importers. The general business is of a retail nature. This place should have the attention of salesmen.

TONALA, State of Chiapas; Pacific seaport, on Pan American Railway; population, 4,785; 111 miles (180 km.) from Tuxla Gutierrez; 13 miles (21 km.)

from Puerto Arista. Climate temperate. Products: Cedar woods, oil, coffee, cattle, skins, silver.

How Reached.—From Puerto Arista, by branch line of Pan American Railway.

Note.—A small city in the State of Chiapas, but doing a fair trade. Located on the Pan American Railway. Travelers who visit small communities will find it advantageous to "make" this place.

TORREON, State of Coahuila; population, 40,000; 97 miles (157 km.) from Durango; 548 miles (881 km.) from Tampico; 704 miles (1,136 km.) from Mexico City; 210 miles (336 km.) from Saltillo. Altitude, 3,739 feet. Climate hot. Principal products: Cereals, cotton, etc. Industries: Smelters, soap factories, rubber works, machine shops, flour mills, packing houses.

American consul and vice consul.

How Reached.—From Durango, by International Railway; from Tampico, by Central Railway; from Ciudad Lerdo, by electric cars.

Hotels.—Toledo, Washington, Francia, Salvador, Modelo, Paris, Internacional, Universal, Torreón.

Banker.—Celso Garza Gonzalez (correspondent).

Note.—One of the most important commercial centers in northern Mexico. Railway junction point. There are a number of manufacturing establishments of considerable importance. The surrounding country is extremely rich in agriculture, while mining and smelting are also carried on. Many of the houses act as distributors for the surrounding country and have a very large trade. The wholesale and a number of the retail firms make their chief purchases in the United States. Well worthy of a visit by all salesmen.

TUXPAM, State of Vera Cruz; on River Tuxpam, 5 miles (8 km.) west of Gulf of Mexico; 2 miles (3½ km.) from Cobos, nearest railroad station; 8 miles (12 km.) from Jalapa; 207 miles (335 km.) from Mexico City; 220 miles (368 km.) from Vera Cruz; 322 miles (518 km.) from Monterey; 120 miles (192 km.) from Guadalajara. Altitude, 3,800 feet. Climate hot. Principal products: Crude petroleum, chicle, gum, rubber, honey, cedar logs, dyewoods, sarsaparilla, vanilla, skins, and hides. Industry: Stock raising.

American consular agent. Lloyd's agent, Angel Perez.

How Reached.—From Vera Cruz and Frontera, by steamer.

Hotels.—Bazar, Colon, Cantabrico.

Note.—A very fair volume of business is transacted, considering the size of this place, although the merchants are chiefly dependent upon the wholesalers of Vera Cruz.

TUXTLA GUTIERREZ, capital of State of Chiapas; population, 22,000; 87 miles (140 km.) from Jalisco; 40 miles (64 km.) from San Cristobal; 845 miles (1,360 km.) from Mexico City. Altitude 1,575 feet. Climate hot. Products: Sisal, coffee, lumber. Industries: Cotton mills, tanning, cigar, and cigarette factories.

How Reached.—From Jalisco, by stage coach, over Government road, fare \$20.

Hotels.—Mexico, Central, Progreso, Serpentina.

Note.—A rather important business center. Many of the houses here do both a wholesale and retail trade, supplying the surrounding district, and are accustomed to make importations chiefly from the United States.

URUAPAN, State of Michoacan; population, 16,000; 85 miles (138 km.) from Morelia; 316 miles (509 km.) from Mexico City. Altitude, 4,476 feet. Products: Wheat, coffee, bananas, figs, oranges, shaddocks, sugar-cane, rice, cattle.

How Reached.—From Morelia and Mexico City, by National Railways.

Hotels.—San Carlos, Internacional.

Note.—Four to five hours' ride by horseback to the north across the mountains lies Los Reyes, which is on the Zamora branch of the National Railways. From there traveler can go to Guadalajara and the Lake Chapala region.

Uruapan is the center of a considerable volume of business. Merchants are largely dependent upon the importers of Morelia, Mexico City, etc. There are, however, some retailers who make direct importations.

VERA CRUZ, State of Vera Cruz; port on Gulf of Mexico; vessels lie alongside customhouse; population, 40,000; 81 miles (131 km.) from Jalapa; 264 miles (425 km.) from Mexico City, via Mexican Central; 293 miles (471 km.) from Mexico City, via Interoceanic Railway; 1,973 nautical miles from New York City; 125 nautical miles from Coatzacoalcas. Products: Vanilla, dyewoods, gold, and silver.

American consul and vice consul. Lloyd's agents, Viega Hermanos, Successors.

How Reached.—From Mexico City, by Mexican Central and Interoceanic Railways; from New York, by Ward Line steamers.

Steamship Service.—Ward Line; Cia. Mexicana de Navegacion to Frontera, Laguna, Campeche, etc.; also many other lines.

Railroads.—Mexican Railway and Interoceanic Railway, daily service to Mexico City; Vera Cruz & Isthmus Railway, daily service to Isthmus of Tehuantepec; Ferrocarriles de Vera Cruz (Ltd.), daily train to Alvarado and steamers to points on Papaloapam River.

Bankers.—Viya Hnos. (correspondents).

Hotels.—Diligencia, Universal, Mexico, Colon, Jardin Astoria, Buena Vista, Oriente.

Note.—Vera Cruz is the chief port of Mexico. The city has a large trade with the interior, and is the business center for the surrounding country; its sphere of influence is practically the entire southern part of the Republic and the eastern coast in general. There are numerous important wholesale houses here and a great many retail firms who, like the wholesalers, make direct importations. It is worthy of the attention of all salesmen. Vera Cruz is often selected as a subagency for this part of Mexico.

Although passengers may be told by hotel runners that they can have baggage passed through customhouse satisfactorily, passengers should attend to this matter personally. Trunks and bags should be locked before handing same to runners.

VICTORIA, capital of State of Tamaulipas; population, 18,000; 812 miles (1,310 km.) from Mexico; 117 miles (187 km.) from Monterey. Altitude, 975 feet. Climate hot. Products: Cereals, fruits, coffee, tobacco, rice, sugar, copper, zinc, lead.

How Reached.—From Monterey and Tampico by National Railways.

Hotels.—Espanol, Hidalgo, Comercio.

Note.—A growing commercial center. Many of the houses import direct. May be visited to advantage by most salesmen.

ZACATECAS, capital of State of Zacatecas; population, 33,000; 439 miles (707 km.) from Mexico City; 112 miles (180 km.) from Guadalajara. Altitude, 8,010 feet. Climate cold; constant cold winds; outer wraps advisable at all seasons; travelers should endeavor to obtain lodging which gets the benefit of the sun the greater part of the day. Products: Silver, cereals, fruits. Industry: Mining.

How Reached.—From Mexico City by Mexican Central Railway.

Trolley car service to various parts of city.

American consul.

Hotels.—Frances, Paris, Colon, Cosmopolita.

Note.—This city is in the center of a rich silver district. Some of the houses make direct importations. Generally speaking, it is worthy of the attention of most salesmen.

ZAMORA, State of Michoacan; population, 15,000; on Duero River; 77 miles (126 km.) from Irapuato, reached by National Railways (on line from Irapuato to Guadalajara via Lake Chapala), average time 3¼ hours; 25 miles

(41 km.) from Yurecuaro, reached by branch line to Los Reyes, average time 1½ hours.

Hotels.—Mexico, Porfirio Diaz.

Note.—This is a small town in the northern part of the State, in a rich agricultural district. Some of the houses make direct importations. Easily reached; canvassed by those who visit the smaller places.

TOWNS OF LESS IMPORTANCE.

Note.—In many of the towns listed below are retailers and general merchants who do direct importing. The traveler must determine by local inquiry which are best to visit.

Acambaro, State of Guanajuato; population, 13,600; near River Lerma; on National Railways; 108 miles (174 km.) from Guanajuato by rail; 55 miles (88 km.) from Gonzalez Junction by rail, 2-hour trip. Products: Beans, wheat, corn, fruits.

This is a small town in the southern part of the State, easily reached from the capital. Chiefly dependent upon the merchants of Mexico City, but a few of the houses make direct importations. Canvassed by those who work the smaller towns.

Acaponeta, State of Nayarit; population, 5,000; near San Diego River; on Southern Pacific Railway; 68 miles (110 km.) from Tepic (port). Products: Fruits, beans, coffee, fish.

Acatlan, State of Puebla; population, 6,000; 87 miles (141 km.) from Puebla, reached by carretera; 22 miles (36 km.) from Murcio Martinez (nearest railroad station). Products: Maize, beans, sugar, silver, copper, iron. Industry: Mining. Carreteras to Abiasteca, Matamoras, and Huajapan.

Ahome, State of Sinaloa; population, 1,000; on Mexico & Orient Railway; 9 miles (15 km.) from Fuerte.

Allende, State of Coahuila; population, 7,000; on Mexican International Railway; 31 miles (50 km.) from Ciudad Porfirio Diaz.

Altar, State of Sonora; population, 2,000; 161 miles (259 km.) from Hermosillo; 50 miles (80 km.) from Santa Ana (nearest railway station). Products: Corn, wheat, beans, fruit, gold, silver, copper, etc. Communication by sea via Gulf of California.

Alvarado, State of Vera Cruz; population, 7,000; 43 miles (70 km.) from Vera Cruz, via Ferrocarril de Vera Cruz Limitada. This is the terminus of the railway and starting point for deep-sea and river steamers.

Ameca, State of Jalisco; population, 8,000; 56 miles (90 km.) from Guadalajara reached by branch line of National Railways. Products: Maize, wheat, sugar, copper.

Amecameca, State of Mexico; altitude, 7,600 feet; population, 14,000; at the base of the Popocatepetl and the Iztaccihuatl; 35 miles (58 km.) from Mexico City, three-hour trip. Interoceanic Railway and the San Rafael & Atlixco Railway.

Anganguas, State of Michoacan; population, 5,000; on the Mexican Railway; 3 miles (5 km.) north of Tarecuato.

Apaseo, State of Guanajuato; population, 4,500; on Central Railway; 78 miles (126 km.) from Guanajuato; 174 miles (279 km.) from Mexico City, average time of trip 7½ hours. Products: Corn, wheat, fruits, cattle. Industry: Quarrying.

Asientos, State of Aguascalientes; population, 2,500; 40 miles (65 km.) from Aguascalientes, reached by National Railways via San Gil (31 miles from Aguascalientes). Products: Corn, beans, chile, silver, copper.

Atlixco, State of Puebla; altitude 3,925 feet; population, 9,000; 28 miles (45 km.) from Puebla; 14 miles (39 km.) from Matamoras. Products: Potatoes, maize, beans, wheat, alfalfa, woods, coffee, sugar, tobacco. Reached from Puebla by railway, average time of trip 2 hours, fare \$1.38. On interoceanic Railway and San Rafael & Atlixco Railway.

Atzacapozcalco, Federal District; population, 7,000; 5 miles (8 km.) north of Mexico City. Products: Alfalfa, maize, barley, wheat, fruits, cattle, etc. On National Railways of Mexico.

Autlan, State of Jalisco; population, 8,000; 136 miles (220 km.) from Guadalajara. Products: Corn, wheat, potatoes, rice, cotton, fruits, tobacco, coffee, sugar cane, gold, silver, copper.

This town is located in the center of a rich agricultural district. Merchants chiefly dependent upon Mexico City and Aguascalientes.

Batopilas, State of Chihuahua; population, 3,500; 250 miles (400 km.) from Chihuahua; 92 miles (150 km.) from Creel (nearest railway station).

Cadereyta, State of Nuevo Leon; population, 4,500; on National Railway of Mexico; 23 miles (37 km.) from Monterey. Product: Silver.

Casas Grandes, State of Chihuahua; population, 2,200; on Rio Grande, Sierra Madre & Pacific Railway; 148 miles (240 km.) from Chihuahua. Products: Cereals, potatoes, fruits, cattle.

Catorce, mining town in State of San Luis Potosi; altitude, 9,043 feet; population, 7,000; on National Railway of Mexico; 9 miles (15 km.) from railway station, reached by horse.

Cedral, State of San Luis Potosi; population, 6,000; on National Railway of Mexico. Industries: Guayule rubber factory.

Chalchicomula, State of Puebla; population, 7,000; on Chalchicomula Railway; 55 miles (90 km.) from Puebla by carretera. Products: Fruits, beans, potatoes, cereals, woods.

Chapala, State of Jalisco; population, 2,200; 370 miles (595 km.) from Mexico City; 37 miles (61 km.) from Guadalajara (25 miles by rail, 12 miles by carretera). Hotels: Arzopala, Victor Hugo, De la Palma.

Chapala, State of Jalisco; population, 2,200; 370 miles (595 km.) from Chilpancingo by carretera; 231 miles (376 km.) from Mexico City. Products: Corn, beans, sugar, fruits.

Chilpancingo, State of Guerrero; altitude, 4,250 feet; population, 9,000; 78 miles (124 km.) from Iguala, reached by horseback; 207 miles (334 km.) from Mexico City, partly by carretera and partly rail. Products: Corn, beans, tobacco, sugar, cotton, cattle, minerals. Hotels: Melendez, Sur. Bank: Banco Nacional de Mexico. Capital of the State. A fair volume of business is carried on. Can be visited in connection with Acapulco.

Chinipas, State of Chihuahua; population, 2,000; 270 miles (435 km.) from Chihuahua. Products: Corn, wheat, sugar, maguey, cattle.

Ciudad Guerrero, State of Chihuahua; population, 2,600. Products: Cereals, beans, cattle, gold, silver, lead.

Ciudad Guzman, State of Jalisco; population, 18,000; 99 miles (160 km.) from Guadalajara, average time of trip five and one-half hours; 260 miles (423 km.) from Irapuato. Products: Sugar, tobacco, fruits, gold, silver, copper, iron, wines.

Coatepec, State of Vera Cruz; population, 9,000; on Jalapa & Teocelo Railway; 7 miles (12 km.) from Jalapa. Products: Sugar, fruits, vegetables, bananas, coffee. Caminos de herradura to Xico, Coscutlan, and Vera Cruz.

Comitan, State of Chiapas; population, 10,000; 343 miles (554 km.) from Jalisco by road. Products: Wheat, maguey, fruits, cattle.

Cuautla, State of Morelos; population, 6,000; on Interoceanic Railway; 27 miles (45 km.) from Cuernavaca. Products: Sugar, coffee, rice, cereals, fruits. Sulphur springs. Hotels: San Diego, Halcyon, Morelos, Providencia.

Cuatro Ciénegas, State of Coahuila; 42 miles (68 km.) from Monclova, reached by branch line of National Railway. This is a small town in the midst of a rich agricultural region. Some of the dealers make importations from the United States. Canvassed by those who make the smaller places.

Cuencame, State of Durango; population, 3,000; 103 miles (167 km.) from Durango; 6 miles (10 km.) from Pasaje (nearest railway station). Products: Beans, sugar, corn, cereals, cattle, lead, silver.

Cusihuaticic, State of Chihuahua; population, 2,000; on National Railway

of Mexico; 74 miles (120 km.) from Chihuahua; 12 miles (20 km.) from San Antonio de los Arenales. Products: Corn, wheat, cattle, silver, lead.

Dolores Hidalgo, State of Guanajuato; population 7,000; on Mexican National Railway; 126 miles (204 km.) from Guanajuato. Products: Wheat, corn, alfalfa. Sulphur springs.

Ebano, State of San Luis Potosi; 381 miles (613 km.) from Aguascalientes; 40 miles (64 km.) from Tampico, reached by branch line of National Railways. Extensive oil works are located in this vicinity.

El Carmen (Laguna del Terminos), State of Campeche; population, 6,000; on western coast of the island; very good port; 99 miles (160 km.) from Campeche. Products: Tobacco, cereals, medicinal plants, vegetables, etc. Lloyd's agent, George A. Ludewig. Considerable export of tropical products, including dyewoods, timber, etc. Easily reached by coastal steamers from Vera Cruz.

El Fuerte, State of Sinaloa; 65 miles (103 km.) from Topolobampo; reached by Kansas City, Mexico & Orient Railway, average time of trip $4\frac{1}{2}$ hours. This is a mining town in northern Sinaloa. Some of the merchants make direct importations. May be canvassed in connection with Guaymas and Culiacan.

El Oro, State of Mexico; population, 20,000; on River Lerma; on Railway of El Oro Mining Co., Yondese to Tutelnango; 6 miles (10 km.) from Toluca; 11 miles (17 km.) from Mexico City. Products: Corn, wheat, beans, gold, silver.

Empalme, State of Sonora; 6 miles (10 km.) from Guaymas, reached by rail. The general offices and shops of the West Coast Railroad are located at this point.

Encarnacion, State of Jalisco; population, 5,000; altitude, 6,073 feet; on Mexican Central Railway; 30 miles (48 km.) from Aguascalientes.

Ensenada, port in Lower California; population, 3,000; vessels anchor 1 mile offshore; 885 nautical miles from La Paz. Reached by steamers of Compañía Naviera del Pacifico. American consul and vice consul.

Fresnillo, State of Zacatecas; population, 7,000; altitude, 7,000 feet; on Central Railway; 36 miles (58 km.) from Zacatecas, reached by Zacatecas-Rio Grande line; 474 miles (764 km.) from Mexico City. Products: Corn, wheat, beans, fruit, timber, gold, iron, lead, tin, silver, mercury.

Gonzales Junction, State of Guanajuato; population 6,000; on National Railway, branch line to Acambaro, 55 miles (88 km.), 2-hour trip; 12 miles (20 km.) from Celayo.

Guadalupe, State of Zacatecas; population, 9,000; on Mexican Central Railway; 7 miles (12 km.) from Cordoba; 6 miles (10 km.) from Zacatecas.

Guadalupe Calvo, State of Chihuahua; population, 1,500. Mining town; gold and silver.

Guadalupe Hidalgo, State of Mexico; population, 6,000; 3 miles (5 km.) from Mexico City, reached by trolley. Products: Wheat, corn, etc.

Guanacevi, State of Durango; population, 7,000; 135 miles (217 km.) northwest of Durango; 60 miles (97 km.) from Tepehuanes (stage road). Mining center.

Huamantla, State of Tlaxcala; population, 7,000; 102 miles (165 km.) from Mexico City, reached by Mexican Railway, five-hour trip; 161 miles (260 km.) from Vera Cruz, reached by Mexican Railway, nine and one-half hours. Products: Wheat, etc.

Huatusco, State of Vera Cruz; population, 8,000; 38 miles (62 km.) from Jalapa; 13 miles (22 km.) from Cordoba (nearest station). Products: Sugar, cereals, aguardiente.

Iguala, State of Guerrero; population, 12,000; 78 miles (124 km.) from Chilpancingo by carretera; 147 miles (238 km.) from Mexico City. Products: Corn, rice, fruits, tobacco. Railway to Balsas, connecting with National Railway of Mexico. This town may be visited in connection with Chilpancingo.

Imuris, State of Sonora; 43 miles (68 km.) from Nogales, reached by Southern Pacific of Mexico Railway, average time of trip two hours. Agricultural and mining district; also mineral springs. Northeast of Imuris is the famous Cocospera mining region.

Inde, State of Hidalgo; population, 2,000; 196 miles (316 km.) from Durango; 57 miles (92 km.) from Rosario, reached by carretera. Products: Fruits, sugar, cereals, gold, silver, copper, lead, and cattle.

Juchitan, State of Oaxaca; population, 12,000; on Pan American Railway; 187 miles (301 km.) from Oaxaca. Products: Salt, coffee, cacao, cereals, sugar, vanilla.

La Barca, State of Jalisco; population, 9,000; on Lerma River; 66 miles (106 km.) from Guadalajara, via Mexican Central Railway; 96 miles (154 km.) from Irapuato, via Mexican Central Railway, four and one-half hour trip. Products: Fruits, sugar, corn, coffee, tobacco.

Lagos de Moreno, State of Jalisco; population, 16,000; on National Railway of Mexico; 294 miles (475 km.) from Mexico City; 143 miles (231 km.) from Guadalajara. Products: Wheat, corn, fruits, etc.

Lampazos, State of Nuevo Leon; population, 2,000; on National Railway of Mexico; 72 miles (115 km.) from Laredo, Tex.; 105 miles (170 km.) from Monterrey. Stock raising and mining district.

Lerdo, State of Durango; population, 8,000; on River Nazos; 155 miles (250 km.) from Durango; half hour's ride on trolley from Torreon, 3 miles (5 km.) Products: Cereals, fruits, cotton, beans, gold, silver, copper.

Linarcs, State of Nuevo Leon; population, 7,000; on National Railway of Mexico. Products: Agricultural. There are a number of firms here that make direct importations. Easily canvassed in connection with Monterrey and Victoria.

Magdalena, State of Sonora; population, 5,000; 52 miles (86 km.) from Zitacuaro, reached by Michoacan & Pacific Railway; 124 miles (200 km.) from Hermosillo, reached by Southern Pacific Railway; 54 miles (89 km.) from Nogales, reached by Southern Pacific Railway. Products: Corn, wheat, beans, copper, silver.

Mapimi, State of Durango; population, 7,000; on Mapimi Railway; 121 miles (194 km.) from Jiminez. Products: Gold, silver, lead. This is an important mining town; headquarters of the Penoles Mining Co.

Maravatio, State of Michoacan; 139 miles (224 km.) from Mexico City, reached by National Railway; 55 miles (90 km.) from Zitacuaro, branch line of National Railway, average time of trip 5 hours.

Mascota, State of Jalisco; population, 6,000; 130 miles (210 km.) from Guadalajara. Products: Gold, silver, copper.

Matamoras, State of Puebla; population, 6,000; on River Necapa. Reached from Monterrey by Interoceanic Railway; carretera to Atlixco. Products: Sugar, rice, coffee, bananas, lead, silver, copper, gold.

Matehuala, State of San Luis Potosi; population, 14,200; 29 miles (47 km.) from Vanegas, reached by National Railway branch line, average time of trip 2 hours; 6 miles (10 km.) from Azul, reached by Matehuala Railway, average time 1 hour. Industries: Mining and smelting. This town is in the northern part of the State. It can be visited in connection with San Luis Potosi. It is chiefly dependent upon that city, although a few houses make direct importations.

Mazapil, State of Zacatecas; population, 5,500; 207 miles (336 km.) from Zacatecas, reached via carretera. Products: Corn, barley, fruits, maguey, etc.

Miahuatlan, State of Oaxaca; population, 6,000; 65 miles (105 km.) from Oaxaca by carretera. Products: Tobacco, coffee, sugar, beans.

Minaca, State of Chihuahua; on Mexico Northern and Kansas City, Mexico & Orient Railways; 120 miles (194 km.) from Chihuahua, average time six hours; travelers from Chihuahua change at La Junta to Minaca branch line; 75 miles (120 km.) from Sanchez, average time three and three-fourths hours.

Minatitlan, State of Vera Cruz; population, 2,500; on Minatitlan Railway, Carmen to Minatitlan; 7 miles (11 km.) from Carmen, average time of trip 40 minutes (Carmen is 12 miles from Puerto Mexico); 355 miles (575 km.) from Jalapa. Products: Timber, coffee, corn, sugar.

Mixcoac, Federal District; population, 7,000; on National Railway of Mexico, near River Mixcoac; 7 miles (11 km.) from Mexico City, one-half hour by trolley.

Ocotlan, State of Jalisco; 112 miles (180 km.) from Irapuato, reached by Mexican Central Railway, average time five hours; 50 miles (80 km.) from Guadalajara, reached by Mexican Central Railway, average time two and one-fourth hours. Passengers leave train at Ocotlan to go to Lake Chapala.

Ometepe, State of Guerrero; population, 40,600; 166 miles (268 km.) from Chilpancingo; 170 miles (275 km.) from Tlancualpican (nearest railway station). Products: Wheat, tobacco, sugar, timber, cattle.

Otumba, State of Mexico; population, 10,000; 80 miles (129 km.) from Toluca; 34 miles (55 km.) from Mexico City. Products: Cereals, maguey, pulque. Railways: Interoceanic and Mexican.

Papantla, State of Vera Cruz; 45 miles (72 km.) from Jalapa, reached by horseback. The famous Pyramid of Papantla is here located.

Patzcuaro, State of Michoacan; altitude, 7,180 feet; population, 8,000; on National Railway of Mexico, near Patzcuaro Lake; 44 miles (71 km.) from Morelia. Products: Maize, beans, cattle.

Penjamo, State of Guanajuato; population, 9,000; 103 miles (173 km.) from Guanajuato; 31 miles (50 km.) from Irapuato, 1¼ hour trip. Railways: Mexican Central, Guadalajara to Manzanillo branch. Products: Corn, wheat, cattle. This town may be canvassed in connection with Irapuato. Some of the houses import direct, but the chief dependence is upon the large wholesale houses of Mexico City.

Puruandiro, State of Michoacan; population, 8,000; 57 miles (93 km.) from Morelia; 31 miles (50 km.) from Penjamo (nearest station). Carretera to Augamacutiro. Products: Wheat, beans, cattle, etc.

Quijano, State of Sonora; 29 miles (48 km.) from Nogales, reached by Southern Pacific of Mexico Railway. The Colombia Consolidated Mines, developed by American interests, are 12 miles (20 km.) distant; reached by horseback.

Real de Monte, State of Hidalgo; population, 10,000; on River Lerma; 6 miles (10 km.) from Pachuca. Mining district, one of the greatest in Mexico; American capital largely invested.

Rosario, State of Sinaloa; population, 9,000; on Southern Pacific of Mexico Railway; 97 miles (157 km.) from Jiminez. Reached from Jiminez via Parral, average time 6 hours, fare \$4.65. This is a mining town of some importance.

Sabinas, State of Coahuila; population, 3,500; 72 miles (115 km.) from Ciudad Porfirio Diaz, reached by National Railway; 12 miles (19 km.) from Rosito, reached by branch line, average time 1¼ hours.

Sahuaripa, State of Sonora; population, 3,000; 191 miles (308 km.) from Hermosillo. Products: Corn, wheat, beans, timber, gold, silver, copper, antimony.

Salamanca, State of Guanajuato; population, 14,000; altitude, 5,646 feet; on Mexican Central Railway; on Lerma River; 56 miles (90 km.) from Guanajuato; 206 miles (333 km.) from Mexico City, 8-hour journey. Products: Wheat, maize, fruits. Industries: Manufacture of woolen goods, gloves, pottery.

Salvatierra, State of Guanajuato; population, 10,000; altitude, 5,774 feet; on Mexican Central Railway; 196 miles (315 km.) from Mexico City; 74 miles (120 km.) from Guanajuato; 18 miles (29 km.) from Acambaro, 1-hour journey. Products: Cereals, sweet potatoes, sugar, woods.

San Andres Tuxtla, State of Vera Cruz; population, 9,000; on Vera Cruz & Isthmus Railway; 190 miles (307 km.) from Jalapa; 42 miles (67 km.) from Vera Cruz; 62 miles (100 km.) from Alvarado. Products: Tobacco, cacao, cotton, beans, coffee. Banks and bankers: Banco Nacional de Mexico; Nicolas Villa.

San Cristobal las Casas, State of Chiapas; population 13,500; 64 miles (105 km.) from Tuxtla Gutierrez; reached from Jalisco. Products: Corn, wheat, barley, fruits.

San Juan de Guadalupe, State of Durango; population, 4,000; 268 miles (432 km.) from Durango; 14 miles (22 km.) from nearest railway station. Products: Cotton, beans, wheat, corn, fruits, cattle, minerals.

San Juan del Rio, State of Queretaro; population, 8,000; altitude, 6,245 feet; on Mexican Central Railway, Acambaro-to-Gonzales Junction route; 34 miles (55 km.) from Queretaro; 118 miles (191 km.) from Mexico City. Carretera to Tequisquiapan and Amealco. Products: Maize, beans, textiles. This town depends chiefly on Queretaro and Mexico City for its purchases. Banks: Banco Nacional de Mexico, Ignacio Comache, agent; Banco de Londres y Mexico, J. F. de Ceballos, agent; Banco de Queretaro, Alberto Ugalde, agent.

San Luis de La Paz, State of Guanajuato; population, 10,000; on National Railway of Mexico; 88 miles (144 km.) from Guanajuato. Products: Wheat, maize, and other grains.

San Miguel de Allende, State of Guanajuato; population, 11,000; on Mexican National Railway; 254 miles (409 km.) from Mexico City; 32 miles (52 km.) from Guanajuato. Products: Wheat, beans.

Santa Rosalia, Lower California; population, 9,000; altitude, 4,086 feet; on Mexican Central Railway; 100 miles (161 km.) from Chihuahua. Products: Alfalfa. American consul located here.

Santiago, State of Tepic; population, 4,500; on Tololotlan River; 35 miles (56 km.) from Tepic on road from Guadalajara to Mazatlan. Products: Cotton, tobacco, fruits, cereals.

Sayula, State of Jalisco; population, 8,000; on National Railway of Mexico; 84 miles (136 km.) from Guadalajara. Carretera to Tapalpa, Zapotlan, Atojac, and Tepic. Products: Cereals, sugar, coffee, fruits.

Silao, State of Guanajuato; population, 15,000; altitude, 5,828 feet; on River Silao; on Mexican Central Railway, branch line to Guanajuato; 14 miles (24 km.) from Guanajuato, one hour; 237 miles (382 km.) from Mexico City. Carretera to Leon, San Luis Potosi, and Irapuato. Products: Cereals, fruits.

Sombrerete, mining town in State of Zacatecas; population, 12,000; on National Railway of Mexico; 109 miles (176 km.) from Zacatecas; 62 miles (100 km.) from Gutierrez. Carretera to Gutierrez and to Catalina (Durango). Products: Gold, silver, copper, lead, maize, wheat, fruits.

Tacambaro, State of Michoacan; population, 5,000; 62 miles (100 km.) from Morelia; 34 miles (56 km.) from Patzcuaro (nearest railroad station). Products: Sugar, maize, wheat, rice, coffee, cattle.

Tacuyaba, Federal district; population, 18,350; 4 miles (7 km.) from Mexico, reached by Mexican Central and del Valle Railways; also by tramway.

Tapachula, State of Chiapas; population, 8,000; near Soconusco (port); railway to San Benito (port); 110 miles (180 km.) from Guatemala City, Guatemala; reached by horseback to Guatemala Railway, 24 miles (40 km.), thence by rail to Guatemala City, 86 miles (140 km.); 300 miles (480 km.) from Tuxtla Gutierrez. This town is in the midst of a rich agricultural region, the chief product being coffee. Somewhat difficult of access, but some of the firms make direct importations.

Tenancingo, State of Mexico; population, 10,000; 30 miles (48 km.) from Toluca; 12 miles (20 km.) from Atla (nearest railway station). Products: Corn, wheat, beans, cattle.

Tehuacan, State of Puebla; population, 8,000; 78 miles (128 km.) from Puebla, reached by Mexican Southern Railway, average time of trip $3\frac{1}{4}$ hours; 31 miles (51 km.) from Esperanza, reached by branch line, average time $2\frac{1}{2}$ hours. Products: Fruits, wheat.

Teocaltiche, State of Jalisco; population, 9,000; 124 miles (200 km.) from Guadalajara; 31 miles (50 km.) from Encarnacion, nearest railroad station. Products: Corn, beans, tobacco, potatoes, wheat, woods, cattle, tin.

Tequisquiapan, State of Queretaro; population, 4,000; on National Railway of Mexico.

Texcoco, State of Mexico; population, 6,000; on Interoceanic Railway; 24 miles (39 km.) from Mexico City.

Teziutlan, State of Puebla; population, 12,000; on Industrial Railway of Puebla and Interoceanic Railway; 100 miles (162 km.) from Puebla. Products: Gold, silver, copper, fruits, beans, cereals.

Tlacolula, State of Oaxaca; population, 6,000; on Mexican Southern Railway; 18 miles (29 km.) from Oaxaca. Products: Sugar, wheat, corn, beans, pulque, cattle.

Tlacotalpan, State of Vera Cruz; population, 6,000; situated at junction of San Juan and Papaloapam Rivers; on Vera Cruz Railway. Mail boats from Alvarado to Tuxtepec. Product: Cattle.

Tlalpam, Federal District; population, 5,000; 10 miles (16 km.) from Mexico City. Carretera to Mexico City, Cuernavaca, and San Angel.

Tlaxcala, State of Tlaxcala; population, 3,000; 105 miles (170 km.) from Mexico City, reached by railroad.

Topolobampo, State of Sinaloa; on Topolobampo Bay; 65 miles (103 km.) from El Fuerte, reached by Kansas City, Mexico & Orient Railway, average time of trip 4½ hours; 500 miles (800 km.) east of San Francisco; 461 miles (741 km.) from Presidio del Norte. Steamship service to Guaymas, Mazatlan, and other ports.

Torres, State of Sonora; 64 miles (104 km.) from Guaymas, reached by Southern Pacific of Mexico Railway. Junction point of the Torres and Priestas Railway. Near-by are the famous Tarasca and other mines, which were first worked by the Jesuit Fathers.

Tula, State of Tamaulipas; population, 7,000; 103 miles (167 km.) from Ciudad Victoria; 95 miles (154 km.) from Cerritos (nearest railway station). Products: Cereals, potatoes, sugar.

Tulacingo, State of Hidalgo; population, 9,500; 38 miles (62 km.) from Pachuca; 86 miles (139 km.) from Mexico City, reached by National Railway of Mexico (on the Mexico City—Pachuca route). Industries: Cotton mills. Products: Wheat, barley, cattle, etc.

Ures, State of Sonora; population, 3,000; on Sonora River; 47 miles (76 km.) from Hermosillo, reached by carretera. Products: Cereals, sugar, timber, lead, iron, gold, silver.

Valladolid, State of Yucatan; population, 5,000; on United Railway of Yucatan (eastern division); 112 miles (181 km.) from Merida, average time of trip 5¼ hours.

Valle de Santiago, State of Guanajuato; population, 13,000; on National Railway of Mexico; 59 miles (96 km.) from Guanajuato. Products: Wheat, corn, cereals.

Viesca, State of Coahuila; population, 5,000; on "Hornos" and National Railway of Mexico; 59 miles (96 km.) from Guanajuato. Products: Cattle, cotton, corn, wheat, beans, sugar.

Xochimilco, Federal district; population, 11,000; 12 miles (20 km.) from Mexico City. Agricultural district; also quarries.

Zacapoaxtlo, State of Puebla; population, 12,000; 106 miles (170 km.) from Puebla. Products: Fruits, coffee, vanilla, sugar, rice, medicinal plants, woods.

Zacatlan, State of Puebla; population, 11,000; 18 miles (30 km.) from Ahuazotepec, nearest railroad station; 78 miles (126 km.) from Puebla. Products: Wheat, beans, maize, woods, fruits.

Zapotlan, State of Jalisco; 102 miles (164 km.) from Guadalajara, reached by railroad. This is the starting point for ascending the volcano of Colima and El Nevado.

Zitacuaro, State of Michoacan; population, 6,000; 83 miles (134 km.) from Morelia; 55 miles (90 km.) from Maravatio, reached by National Railway, average time five hours. Products: Rice, sugar, fruits.

Zumpango, State of Mexico; population, 6,000; on Desague Valle de Mexico Railway; 76 miles (123 km.) from Toluca. Products: Corn, wheat, beans.

APPENDIX II

THE TARIFF.

Import duties in Mexico are subject to change by presidential decree. The rates are consequently so fluctuating that no practical purpose can be served by publishing the detailed schedule. The only safe method to follow in exporting goods to Mexico is to find out the rate of duty at the time shipment is made.

The following *general rules* for the application of the tariff, however, are much more permanent in character and may be of assistance to the exporter. They are translated from the 1920 edition of *Tarifas de los Derechos de Importacion y Exportacion de Mexico*, officially authorized by the Secretary of Hacienda and Public Credit.

GENERAL RULES FOR THE APPLICATION OF THE TARIFF.

GOODS SPECIFICALLY MENTIONED IN THE INDEX AND IN THE EXPLANATORY NOTES.

I. All goods listed in the accompanying Index shall pay the duty stipulated in the corresponding heading of the Tariff. Articles which in the explanatory notes are indicated as included under a definite heading, shall pay the rate designated in the Tariff; but in said notes, when it is deemed expedient, the names of various samples shall be consigned from the type which includes the specification in general terms.

ARTICLES NOT SPECIFIED.

II. Goods not included in the Tariff nor the Index, shall pay duty by analogy or similarity to one or several articles specified in the Tariff, following the rules of the Customs Regulations for the assimilation of unspecified articles.

DEFINITION OF THE TERMS "OF ALL KINDS" AND "NOT SPECIALLY MENTIONED" USED IN THE TARIFF.

III. Goods mentioned in the Tariff or Index followed by the words, "of all classes," shall pay the duty stipulated in the corresponding heading though they contain other materials, except precious metal, but should they contain gold, silver or platinum the Tariff headings expressly provides for such circumstance.

The expression "not specially mentioned" is used to avoid confusion with goods, which under the same general name, or of the same materials are classified in the Tariff or Index under a separate heading on account of peculiarities which distinguish them from those "not specially mentioned."

Thus, the same goods can be defined as "of all kinds," "not specially mentioned."

ARTICLES NOT SPECIALLY MENTIONED OF TWO OR MORE MATERIALS.

IV. Articles composed of two or more materials, which are not expressly mentioned in the Tariff or Index, shall pay the duty applicable to the material predominating in weight, except those containing skin, silk, ornaments of gold, silver, platinum or gilt or silvered metal.

The determination of the predominating material shall only be made when the several materials forming the article can be separated without destroying the article.

When the determination cannot be made under these conditions, it is left to the discretion of the importer verbally and at the time of Customs clearance to authorize the separation of the articles which may occasion damage, if thus his interests are served, as in consideration of such articles

as padlocks, burners, handles for umbrellas, etc., which are imported in large consignments and which would pay duties in high excess of the value of the pieces examined.

When this determination cannot be made, such articles shall pay the highest rate of duty applicable to the various component parts.

ARTICLES NOT FITTED TOGETHER.

V. When an article composed of several parts specified in the Tariff or Customs Regulations Index, is imported unmounted, and each part is declared separately, the duties shall be assessed at the rate applicable to each part though all the parts are in the same bulk; provided they are wrapped separately.

ARTICLES COMBINED WITH SCIENTIFIC APPARATUS.

VI. Scientific apparatus as barometers, thermometers, or other fitted or mounted in articles, as statues, candelabra, inkstands, clocks, etc., etc., shall pay the duty applicable to the article of which they form a part.

NET WEIGHT.

VII. By net weight is to be understood the actual weight of the goods without internal packing, receptacles or wrappings.

LEGAL WEIGHT.

VIII. By legal weight is to be understood the weight of the articles including that of the internal packings, wrappings, bottles, boxes of cardboard, wood, or tin plate, coverings of straw or shavings in which the goods are packed within the outer box which serves as a general receptacle.

When the articles dutiable on legal weight do not have interior packing and are imported in bulk alone, or with the lining or box of zinc or tin plate which is usually placed within the outer case for better preservation of the contents, the actual weight of the goods shall be considered as the legal weight. For the verification of the legal weight, the weight of the straw or shavings, in which the parcels are packed within the general or outer case, should not be computed, nor the weight of this outer case.

GROSS WEIGHT.

IX. By gross weight is meant the weight of the goods with all interior and outer packings and wrappings, without the deduction of any loose straw, mats, or hoops.

ARTICLES "IN BULK" OR IN DUTIABLE CASES.

X. Articles dutiable on gross weight shall pay duty on the actual weight of the merchandise, when imported without wrappings or packings or contained in receptacles subject to duty.

FRINGES AND HEMS.

XI. When articles having fringe are dutiable by square meter, the measurement shall include the fringe.

If dutiable on net weight in relation with the square meter, the fringes must also be considered.

Fabrics as handkerchiefs, sheets, towels, etc., with a hem of more than a centimeter in width, dutiable by measurement, shall determine the measurement including the cloth used in the hems, measuring only the visible part.

ORDINARY RECEPTACLES.

XII. As ordinary receptacles are considered casks, bottles or flasks of earthenware or glass, drums of iron, zinc, tin, copper or lead, boxes of wood, cardboard or tinplate, etc., which are suitable to the goods which they contain and do not in themselves, constitute a merchandise of greater value than the contents, or have a special use apart from the contents.

When goods contained in ordinary receptacles are dutiable on net weight, number or measurement, such receptacles shall not be charged any import duty.

If the goods contained are dutiable on gross weight, then the said ordinary receptacles, shall pay duty applicable to the contents.

SPECIAL RECEPTACLES.

XIII. Receptacles not of the ordinary kind mentioned in the above heading and which obviously do not correspond to the merchandise they contain, either because they have commercial value, or a fancy case, or have other use aside from packing, and if estimated separately from their contents would be subject to a higher duty, must be declared separately for the levy of rate.

SPECIFIED OUTER PACKINGS.

XIV. When articles specified in the Tariff, as money boxes, trunks, valises, furniture, etc., are imported serving as outer packing they shall pay their stipulated duty without any consideration as tare.

CLOTH OR CLOTH SACKS USED FOR COVERING.

XV. Fabrics serving as protective covers for goods inside parcels, must be declared, and shall pay the duty stipulated in the Tariff, whatever be the kind or quantity, with the exception of impermeable fabrics, oiled or tarred fabrics, which serve the sole purpose of protecting the goods from outside moisture, and are imported in a quantity indispensable to this end. Nor should there be any declaration for payment of duty for coarse interior sacks of jute cloth or of white and plain cotton cloth, when the goods have a double receptacle, as happens with paraffin, sulphur, etc., which have an inner and an outer sack.

When articles imported in double packing are dutiable on legal weight, the interior sack shall be included in said legal weight.

CLOTHS AND ARTICLES OF LINEN, MIXED WITH COTTON.

XVI. Cloths and articles of linen, hemp or similar vegetable fibres, with a mixture of cotton in any proportion, which are not stipulated in the Tariff or Index; as cloths or articles of cotton with a mixture of linen, hemp or other similar fibres in any proportion, and which are not stipulated in the Tariff or Index, shall pay the duty applicable to cloths and articles of pure linen.

FABRICS OF WOOL WITH A MIXTURE OTHER THAN SILK OR PRECIOUS METAL.

XVII. Fabrics of cotton cloth, artificial silk, linen, hemp or other similar fibres, if the texture contains a mixture of wool in any proportion, the same as fabrics of woolen cloth with a sprinkling of other material than precious metal, if the texture contains a mixture of cotton, artificial silk, linen, hemp, or other similar fibres, in any proportion, they shall pay the duty stipulated for fabrics of pure wool.

SILK RIBBONS.

XVIII. Only ribbons, which in the warp or weft are formed wholly by threads of cotton, linen or wool, are considered as ribbons of silk with a mixture of cotton, linen or wool.

FABRICS AND ARTICLES OF SILK.

XIX. As fabrics and articles of silk with a mixture of cotton, linen or wool, shall be considered those in which the mixture is found throughout the texture or in various parts thereof. Those which have said mixture only on the borders, shall pay the duty stipulated for fabrics or articles of pure silk.

GARMENT PATTERNS.

XX. As garment patterns are to be considered those packed in cardboard boxes or in any manner so arranged, pinned or sewed showing the model of a blouse or skirt and their ornaments so arranged, that it seems intended for a particular garment. Otherwise if the fabrics are arranged without pattern form and with ornaments separated or arranged in such a manner that they can be used separately, then the fabric shall pay duty stipulated for its class, and the ornaments according to their class.

COTTON OR LINEN HANDKERCHIEFS.

XXI. Handkerchiefs of cotton or linen, even if having simply a border other than plain, open-work or embroidered, shall be considered as a fabric other than plain, or of open-work or embroidered, according to whatever it corresponds.

Handkerchiefs are considered as embroidered when they have "alforzas" or embroideries, however small these may be, and even though they are found as initials in one of the corners or in decorations.

When handkerchiefs have a simple chain stitch in place of a hem, this is not taken into account and shall pay duty according to the kind of cloth.

Handkerchiefs are not considered open-worked which have simply had threads drawn ready for the needle work known as "dobladillo de ojo."

White handkerchiefs having borders, edgings, initials, names or any other design or work in colour, shall be considered as colored fabrics.

SETTINGS AND MOUNTING OF EARTHENWARE AND GLASSWARE.

XXII. By a setting or mounting is to be understood the metal part which is joined to a piece of crystal or porcelain, serving as an ornament or as a support and forming an integral part of the article.

Socketts, pegs or screws, that connect two or more pieces, small fastenings, lids of flasks, bottles, vases, jars, or inkstands must not be considered as settings or mountings.

ARTICLES OF PAINTED METAL OR HAVING A METALLIC COATING.

XXIII. Except those articles of metal, gilded or plated and of tin plate in painted sheets, all articles coated with aluminum, copper, tin, nickeled or painted shall pay the duty assigned to articles of metal of which they are made.

SURPLUS OUTFITTINGS.

XXIV. When with machinery or apparatus, are imported as accessories articles specified in the Tariff, in quantities which exceed an amount necessary for their installation, as screws, bolts, tubes, keys, etc., the surplus of these shall be applicable to the rates stipulated.

ARTICLES CHARGED WITH VARIOUS RATES. EXCEPTIONS IN THE INDEX.

XXV. In all headings of the Tariff in which the same article is charged with one or more rates, according to weight of article, the duty shall be settled, with the exception of fabrics, by applying the highest rate to the limit of weight which serves as its base, and those having the lower duty to the number of remaining kilogrammes, on those articles whose net weight exceeds the lower limit. In this latter case, the consignees shall declare the number of complete articles imported.

Articles directly specified, by means of the Index, in a definite heading, of such kind mentioned shall pay only the rate corresponding to said heading, whatever the weight of the article may be.

PACKING OF ARTICLES OF COTTON, WOOL, LINEN, SILK AND JEWELRY OF PRECIOUS METAL.

XXVI. When articles of cotton, linen, wool or silk, as well as those of artificial silk, in the form of thread on spools or in the form of hanks, cords, laces, ornaments, lace trimming, flowers, ribbons, embroidered bands or any other article similar in kind to those enumerated, which are imported in packages or cardboard boxes, causing various rates, are not imported packed separately in cartons or packages coming under one class of the Tariff, the highest corresponding duty shall be levied even when in the declaration the weights, measurements, quantities, names, materials and kind of each class is specified.

In the same manner when jewels and wares of precious metals are imported packed together in boxes, packages or cardboard boxes, without the exact class and net weight of contents marked on each one of them, even though in

the declaration exact information for the adjustment of duties is given they shall pay for each box, packet, or carton, the highest duty stipulated by the Tariff for the jewelry contained.

Cases with lining of leather or silk are dutiable separately when the jewelry is dutiable on net weight, but if the jewelry is dutiable by legal weight, the cases shall be included unless the cases are packed separately from the jewelry.

EMBROIDERY ON FABRICS AND ARTICLES.

XXVII. Embroidery is relief work executed by hand or mechanical means with threads, independent of those of the fabric, on a finished cloth. According to the law, embroidered cloths or articles are considered those that have designs in relief, filled in or outlined, formed by threads, chain stitches or cords of any material or by the application of glass, porcelain, metal, rubber, composition or of other fabrics in clippings. As embroidered fabrics or articles must be considered those that have embroidery on the borders as an edging, or over the whole fabric, and also those as towels, table cloths, sheets, covers, pillow cases, etc., which have letters or ornaments embroidered in the corners or in any part of their surface.

In embroideries made with metal threads the nucleus shall not be taken into consideration, even if it consists of silk. Equally shall this be considered in the case of embroideries made with covered cord, regarding as silk the embroidery made with covered cord of this fibre, even though the interior is of cotton, wool or linen.

FITTINGS OR ACCESSORIES OF PRECIOUS METALS OR OF ORDINARY GILT OR SILVER PLATED METAL AND THOSE OF SILK OR SKIN.

XXVIII. As the Tariff provides, the Customs classification indicates special duties for articles which contain precious metal, silk, skin or gilt or silvered metal parts, the negative phrases, such as; *not being of gold, silver or platinum, not gilt nor silvered, not having silk nor skin*, are omitted from the headings in which are specified the articles having these materials. Articles or wares with accessories or ornaments of the materials enumerated are included in the corresponding heading only expressly stated; except those cases which are annotated "of all kinds" referring to articles which in accord with Article III of these Regulations may contain silk, skin, or parts of gilt or silvered common metal.

Considering articles classified exclusively as belts, suspenders, garters, braces, corsets, umbrellas, etc., to which out fittings of metal are indispensable providing there are no precious metals including gilt or silvered the presence of such fittings does not effect the modification of the Tariff classification, for in articles in which the metal accessories alter the rate, as ribbons, trimmings, etc., the provision is clearly stated.

COTTON THREAD ON REELS.

XXIX. When cotton thread is imported on reels, the number of reels contained and the length of thread on each one must be declared for each package.

SAMPLES AND CASES OF SAMPLES.

XXX. Samples not able to be used as merchandise and referred to in Tariff 699 shall enjoy the exemption granted in the General Customs Regulations.

Cases of samples and samples of articles complete and useful, as wines, spirits, perfumery, etc., must be declared with all the information which the law exacts for ordinary goods and shall pay the duty stipulated, and in no instance, is it authorized at the time of Customs clearance to make such goods useless, by cutting, perforation or other means.

When cases of samples contain handkerchiefs, shawls, hosiery, shirts, fancy goods, hardware or small wares and in general, all articles not being unfit for use, shall pay distinct rates and if imported without separation the case shall pay the duty stipulated for the article having the highest rate among those contained.

APPENDIX III

WEIGHTS AND MEASURES.

The metric system is legally in force in Mexico. The following tables may be found useful in converting customary units into metric, and vice versa.

LENGTH.

1 millimeter	0.03937 inch
1 centimeter	0.3937 inch
1 meter	3.28083 feet
1 meter	1.093611 yards
1 kilometer	0.62137 mile
1 inch	25.4001 millimeters
1 inch	2.54001 centimeters
1 foot	0.304801 meter
1 yard	0.914402 meter
1 mile	1.60935 kilometers

AREA.

1 square millimeter	0.00155 square inch
1 square centimeter	0.155 square inch
1 square meter	10.764 square feet
1 square meter	1.196 square yards
1 square kilometer	0.3861 square mile
1 hectare	2.471 acres
1 square inch	645.16 square millimeters
1 square inch	6.452 square centimeters
1 square foot	0.0929 square meter
1 square yard	0.8361 square meter
1 square mile	2.59 square kilometers
1 acre	0.4047 hectare

VOLUME.

1 cubic centimeter	0.061 cubic inch
1 cubic meter	35.314 cubic feet
1 cubic meter	1.3079 cubic yards
1 cubic inch	16.3872 cubic centimeters
1 cubic foot	0.02832 cubic meter
1 cubic yard	0.7645 cubic meter

CAPACITY

1 liter	1.05668 liquid quarts
1 liter	0.26417 gallon
1 liter	0.9081 dry quart
1 liter	0.11351 peck
1 hectoliter	2.83774 bushels
1 liquid ounce	29.574 milliliters
1 dram	3.6967 milliliters
1 liquid quart	0.94636 liter
1 gallon	3.78543 liters
1 dry quart	1.1012 liters
1 peck	8.80982 liters
1 bushel	0.35239 hectoliter

MASSES.

1 gram	15.4324 grains
1 gram	0.03527 avoird. ounce
1 gram	0.03215 troy ounce
1 kilogram (kg.)	2.20462 avoird. pounds
1 kilogram	2.67923 troy pounds
1 grain	0.0648 gram
1 avoirdupois ounce	28.3495 grams
1 troy ounce	31.10348 grams
1 avoirdupois pound	0.45359 kilogram
1 troy pound	0.37324 kilogram

Many of the old units of weights and measures are also in use in certain parts of Mexico.

The following are some of the more common of these old units:

1 libra	1.01465 pounds
1 arroba	25.366 pounds (25 libras)
1 carga	4 arrobas
1 fanega	1.5749 bushels
1 pulgada .....	.916 inches
1 vara	32.992 inches
1 legua comun	6,666 $\frac{2}{3}$ varas
1 pertenencia (unit of mining concessions)	1 hectare (2.47 acres)

APPENDIX IV

POSTAL SERVICE.

The postal service of Mexico is under the administration of the General Post Office in Mexico City. The post offices are divided into local administration offices, local postal agencies, and traveling post offices on mail trains. The larger offices issue identification cards to expedite the receipt of mail and cashing of money orders.

The domestic postal rates are as follows:

	Centavos	
First Class:	Urban	Interior
Letters and packages, for the first 20 grams.....	0.02	0.05
For each 20 grams or fraction.....	0.02	0.05
Postal cards.....	0.03	0.05
Second class:		
Daily papers and publications, for each 500 grams or fraction	0.01	0.01
Third Class:		
Printed matter and business papers, for each 100 grams or fraction.....	0.01	0.01

POSTAL SERVICE BETWEEN THE UNITED STATES AND MEXICO.

Articles addressed from the United States for delivery in Mexico are in general subject to the same postage rates and conditions which would apply to them if they were addressed for delivery in the United States. Articles other than letters in their usual and ordinary form are excluded from the mails of Mexico, unless they are so wrapped that their contents can be easily examined by postmasters and customs officers. Packages of merchandise weighing not more than 4 ounces may be sent at the rate of 1 cent for each ounce or fraction, but customs declarations are required on such articles. Currency and money, other than gold, are prohibited transmission in letters, ordinary or registered, except when sent by government agencies.

MONEY ORDERS.

Money orders may be drawn at any *international* post office in the United States for payment in Mexico at the following rates:

For orders from \$ 0.01 to	\$ 10.00.....	10 cents
For orders from 10.01 to	20.00.....	20 cents
For orders from 20.01 to	30.00.....	30 cents
For orders from 30.01 to	40.00.....	40 cents
For orders from 40.01 to	50.00.....	50 cents
For orders from 50.01 to	60.00.....	60 cents
For orders from 60.01 to	70.00.....	70 cents
For orders from 70.01 to	80.00.....	80 cents
For orders from 80.01 to	90.00.....	90 cents
For orders from 90.01 to	100.00.....	\$1

PARCEL POST.

Parcels may be sent from the United States to Mexico under the following regulations:

They must be securely wrapped in packages not exceeding $3\frac{1}{2}$ ft. in length, or with a combined girth and length of not more than 6 ft. The maximum weight is 20 lbs., and the rate 12 cents a lb. They must not be sealed and must carry a customs declaration.

The sender of a registered parcel is entitled in case of loss, damage, or rifling thereof, to an indemnity equal to the amount of the actual loss incurred, but not exceeding the equivalent of 50 francs (approximately \$9.65).

The Mexican government fixes a charge of 25 per cent on all merchandise exported or imported by parcel post over the regular tariff rates charged on the merchandise involved.

Packages which are not withdrawn from the mails by addressees within a period of 10 days from the date upon which the first notice to withdraw is given will be subject to a storage charge of 5 centavos Mexican per day.

Motion-picture films, when prepared in accordance with the instructions appearing in section 23, on page 5 of the June, 1919, Postal Guide, will be accepted, when destined for Mexico, provided the packages may be dispatched into Mexico by overland route. Packages containing films made of other material than cellulose acetate will not be accepted when addressed to Mexico for conveyance over a steamship route.

Automobile tires, within the limit of weight prescribed, will be accepted for transmission outside of mail sacks up to a weight limit of 35 pounds each for places in Mexico reached by railroad from the United States. The Mexico office will not accept responsibility for any damage that may occur to packages of automobile tires when their transmission is outside of mail sacks.

Prohibitions: Firearms of all kinds, pastry, fruits, vegetables, and sweetmeats, except hard and soft candy. Hard candy will be accepted with the packing appropriate to contents that are half solid, while soft candy will be accepted with the packing required in the domestic service for liquids.

APPENDIX V

TEXT OF RECENT COLONIZATION DECREE.*

To the Department of Agriculture and Development:

January 27, 1921.

In order to promote the colonization of the Republic with foreign elements, your department is herewith authorized to aid, in compliance with the instructions of this decree, the foreign immigrants, by granting them the total amount of the railroad fare within the Republic, from the point of landing on national territory up to their place of settlement; and to grant them a 50% discount on all charges of transportation of personal goods and chattel, on farming implements they may bring with them and on live stock or farm animals they may own; and to allow them the total amount of the custom duties which they should pay for same.

Constitutional President of The United States of Mexico.

A. OBREGON.

To the Department of Agriculture and Development:

Mexico, March 31, 1921.

In virtue of the extraordinary powers bestowed upon the Executive of the Department of Finances by the decree issued December 20, 1918, based upon the Laws of Colonization of December 15, 1883, I herewith proclaim the following Decree:

The Department of Agriculture and Development is hereby authorized as follows:

1st. To furnish the settlers establishing themselves in the Republic, a subsidy of 1.00 peso Mexican Cy. (50c U. S. Cy.) daily, to each family for a two weeks' period, counting from date of departure from place of residence upon leaving to settle in the Colony, if they reside in this country (Mexico), or from date of arrival in the Republic if they come from any foreign country. This subsidy is not to be reimbursed.

2nd. To grant a subsidy of 30.00 pesos Mex. Cy. (\$15.00) U. S. Cy. for a period of six months to each and every one of the first fifty families establishing themselves in the new Colonies founded in this country, whenever the heads of said families may request it, and bind themselves to reimburse this subsidy during the following three years of their settlement in the Colony.

In order to enjoy the privileges of the franchises granted in the above clause, applicant must declare:

(a) That he has no financial resources; (b) that he owns one single lot and that he cultivates it himself; (c) that he resides in the Colony; (d) that he has built a dwelling-place on the lot assigned him, or that he will build one during the first three months of his residence in the Colony.

Should the Department of Agriculture and Development have any knowledge that the terms set forth in the above paragraph are not complied with, it will thereupon have the right to cancel the colonist's franchise in question, without detriment to exercise its judicial or administrative action to demand the return of the sums he may have received.

Constitutional President of the United States of Mexico.

A. OBREGON.

*Reprinted from the Mexican Review, October, 1921.

PROVISIONAL REGULATIONS FOR CONCESSIONS TO COLONISTS

1. In order to be entitled to the privileges granted by the Colonization Law of December 15, 1883 and by the Presidential Decree of January 27, 1921, if the immigrant is a foreigner it will be necessary for him to secure a certificate to that effect issued by the Mexican Consular agent in the jurisdiction of the place of his departure, either at his own request or at the request of a person or company authorized by the Department of Agriculture and Development to bring colonists into Mexico and with whom the immigrant has previously made the necessary arrangements for his transfer to the Republic, or he shall present the contract entered into with said person or company in which it is stated that he is admitted as a colonist (Forms 1 and 2).

2. In the case of a Mexican or foreigner residing within the country who wishes to be admitted to one of the official colonies already established in the Republic, he shall apply for admittance to the Department of Agriculture and Development or the proper agent, and upon the petition being granted he shall be issued the proper certificate.

3. In all cases, the applicants shall produce a certificate that will certify as to their good conduct and state their occupation immediately prior to applying for admittance as colonists, pledging themselves, at the time of making the application to engage mainly in agriculture and stock-raising immediately upon establishing themselves in the Republic.

4. In conformity with Article 775 of the regulations of the Mexican Consular Service, the Consular agents are commissioned to furnish information relative to, and encouraging, within the stipulations of the existing laws and regulations, colonization in the Republic.

5. The said Consular agents will upon the petition of the interested parties issue free of charge the certificates provided for in the first paragraph, the certificates to be issued according to Form 1 and given to the interested party in the Spanish language and in his own.

6. The Consular agents will keep a record of the colonization petitions received and of the certificates issued, including their proper order, respectively, the names of the applicants and of the persons constituting their families; the place of their destination in the Republic and whether they are immigrating on their own account or under contract with a duly authorized person or colonization company.

7. Upon reviewing the certificates of good conduct and the passports of the interested parties, together with their respective applications, the Consular agents will return the documents mentioned to the immigrants, and if found satisfactory, they will issue the certificate (Form No. 2).

PRIVATE COLONIZATION COMPANIES

8. Only persons or companies expressly authorized by the Department of Agriculture and Development to bring or establish foreign colonists in the Republic can seek and obtain, for the colonists whom they wish to establish, the privileges granted by the Decree of January 27, 1921.

9. The persons or companies wishing to obtain the authorization to which the above paragraph refers, will make application to the Department of Agriculture and Development, in which they shall conform to the conditions and give the information contained in the following:

(a) To give proof, by means of the testimony of persons considered reliable by the said department, of their honesty, solvency and ability, the reference of their respective Consuls to be preferred in the case that the applicants are foreigners.

(b) To show that they have available agricultural lands adequate for the purpose of colonization, giving their locality, total extension, possible cultivation, or whether they are only suitable for stock-raising purposes; the number, extension and price of the lots and the terms under which they are to be sold to the colonists.

(c) To stand responsible for the fulfillment by the colonists of the conditions stipulated in paragraphs 1, 2, and 3.

10. All immigrants wishing to obtain for themselves the concessions granted by the Presidential Decree of January 27, 1921, and all the authorized persons and companies to which reference is made above, will observe the following procedure:

I. They will address the proper application, as soon as the colonists arrive on Mexican territory, to the agent authorized by the Department of Agriculture and Development or to the Bureau of Colonization of the same department, giving in full, in addition to the general information required, the following:

(a) Place of their location and that of their proposed destination, with the postal address of the former.

(b) A triplicate list of the furniture and personal belongings, agricultural implements, animals, etc., which according to the decree can be transferred free of custom duty and on which 50% of the transportation charges in the Republic is to be discounted.

II. The applications must be sent together with the certificates provided for in paragraphs 1 and 3 of these regulations.

III. As a result of the application referred to, the colonists will receive:

(a) An order for the issuance by the proper railway office of a second-class ticket, chargeable to the Department of Agriculture and Development, from the place of their location to that of their destination.

(b) An order for the discount, by the same office, of 50% of the freight rates on the transportation of their animals and personal belongings, which are specified in the Decree of January 27, 1921.

IV. The payment of 50% of the freight rates will be made by the colonists or by the contracting company at the place of entry in the Republic.

11. The colonists or their representatives shall prepare a list of the articles to be imported, certified by the Consular agent, in which no inclusion shall be made of articles subject to custom duty, whether or not they are for the use of the colonists.

12. The agents of the Department of Agriculture and Development will procure from the private colonization companies advance notice of the colonists which they have contracted for and the places at which they will make their entry into the Republic, so that notice may be given by the agents to the proper customs authorities and avoid any unnecessary delays in dispatching the furniture, animals and other articles belonging to the colonists. The names of the colonists must necessarily be given in this advance notice.

13. The agents of the Department of Agriculture and Development shall in person witness the dispatch of the articles and animals belonging to the colonists in order to establish that the said articles and animals are included in the exemptions granted by the Colonization Law and by the Decree of January 27, 1921. If the articles and animals intended for importation by the colonists are others and different from the exemptions granted by the before mentioned Law and Decree, the agent and the customs administrator will decide the proper course to follow, in accordance with the general customs regulations, and they will give notice thereof to the Department of Agriculture and Development.

14. As soon as the importation is completed, the colonists or their agents will formulate the application for delivery as provided for by the customs regulations, and present it to the Custom House. If the latter finds it to be in conformity with the document or documents authorized by the agent of the Department of Agriculture, delivery will be made of the articles which according to the above mentioned Law and Decree can be imported free of duty. If there should be found any difference, the procedure shall be in conformity with customs regulations.

15. Under their most strict responsibility, the agents of the Department of Agriculture will see to it that the colonists are not given permission for the importation of articles other than those specified in the Decree of January 27, 1921.

16. In case of further orders by the Department of Agriculture and Devel-

opment, adding to or restricting the customs privileges established by the Decree, the agents will be governed by the instructions received by the department.

17. In case that the colonists or the persons and companies engaged in colonization should abuse the concessions granted, selling or trafficking in any other form with the articles imported free of duty, the agent of the Department of Agriculture and Development will turn the case immediately to the judge of the proper district for his attention, that he may proceed, in conformity with the proper laws, to punish the offender or offenders for smuggling.

18. Upon the receipt of the application mentioned in section 1 of paragraph 10, the colonization agent or bureau, dependent from the Department of Agriculture and Development, will issue the necessary orders to the railway offices for the issuance of second-class fares and for the transportation of the baggage, with a 50% reduction in the rates, from the place of their location in the Republic, to the place of destination, and the necessary orders to the administrator of customs for the importation, free of duty, of the articles and animals specified in the Decree of January 27, 1921.

19. The colonization agents of the Department of Agriculture and Development will keep a record of the following:

I. The progressive number of the applications received.

II. The date of their presentation.

III. The general information of the colonists, names and number of the persons constituting their families, if any, and the colony of their destination.

IV. The date of the granting of the application.

V. Specific information of the articles, animals, etc., which each colonist is permitted to import.

VI. The name of the Custom House where the importation is made.

VII. The name of the person or company authorized to colonize, if the entrance of the colonists is effected through either.

20. Of the contents of the above record, the agents will send a monthly report, in triplicate, to the Bureau of Colonization of the Department of Agriculture and Development.

21. In each case, the colonization agents of the Department of Agriculture and Development will notify the department of the applications received and of their results, with a monthly report of the same and complete and specified information as to the articles imported by the colonists during the month.

22. The Bureau of Colonization and the agents of the Department of Agriculture and Development will keep a record of the colonies established in privately-owned lands and of the colonists established in each of them.

23. In doubtful cases or in cases where no provision is made herein which may confront the agents of the Department of Agriculture and Development in the performance of their duties, if the case in question does not come within the jurisdiction of custom houses, the agents will consult with this department through the quickest means of communication according to the urgency of the case. Doubtful cases or where no provision is made herein which fall within the jurisdiction of the custom houses, will be disposed of in conformity with the general custom's regulations by the agents of this department and the proper customs administrator, notifying, in all cases, this department in the matter.

In compliance of which I order this to be printed, published, and circulated.

Given at the Palace of the Federal Executive Power of Mexico, on the twenty-second day of April, nineteen hundred and twenty-one.

The Constitutional President,

A. OBREGON.

The Secretary of Agriculture and Development,

A. I. VILLARREAL.

Effective Suffrage, No Re-election.

Mexico, May 2, 1921—By order of the Secretary, J. I. LUGO. Under Secretary.

FORM OF APPLICATION.

Form No. 1

Petition number....for acceptance as settler in the United States of Mexico.
To the Mexican Consul.....

City. Country.

The undersigned.....in his own name and in that of his family,—list of whom appears in the back of this page—being desirous of entering the United States of Mexico as colonist that he might enjoy the franchises which the laws of the country grant to settlers, hereby requests you to issue the certificate of identity necessary to be considered as such. To that effect he hereby swears to submit himself to the Mexican laws in all actions that he may perform as settler; and further states that he has sufficient agricultural knowledge, that he has never served judicial penalties and that his occupation up to..... was.....

In proof of which he hereby encloses a certificate of good conduct and his passport issued by.....

Name of authorities.....

Who issued certificates and passports.

day of.....

Signature of Petitioner.

Form No. 2

Mexican Consular Service.

Consulate at

ColonizationCertificate No.....

The undersigned, Consul for Mexico at.....certifies that Mr..... appeared before this Consulate declaring his intentions of going to the United States of Mexico as settler, solemnly swearing, in order to become such, to submit himself to the laws of the country and to adjust all his acts to the said laws after he has become a settler, and having duly proved before this Consulate his good conduct and capacity for devoting himself to agricultural pursuits and having also showed a passport issued by..... in compliance with Article 7th of the corresponding regulations, this Consulate in accordance with the said regulations issues the present Certificate.

Mr.....is accompanied by the persons whose names appear on the back of this page and who are all members of his family.

Issued at.....on the..... of the month of.....192...

The Consul.

Seal of the Consulate.

APPENDIX VI

OIL PRODUCTION 1921.

(Preliminary Estimate)

The total shipments for 1921 were 191,418,421.56 barrels. The shipments for the year by companies were as follows:

Huasteca Petroleum Company, 28,711,456.63 barrels; Transcontinental Petroleum Company, 25,494,174.22; Mexican Aguila (Eagle) Oil Company, 25,459,220; Mexican Gulf Oil Company, 13,722,034.15; Agwi Oil Company, 12,125,992.67; Texas Company, 11,263,412.54; International Petroleum Company, 9,994,378.36; Island Oil and Transport Company, 8,895,955.60; Corona Oil Company, 8,548,411.96; Freeport and Mexican Fuel Oil, 8,113,551.42; Cortez Fuel and Oil Corporation, 8,109,121.56; East Coast Oil Company, 5,681,641.86; Penn Mex Fuel Company, 3,582,722.74; New England Fuel Oil Company, 2,563,738.84; Pierce Oil Corporation, 1,766,098.48; National Oil Company, 1,551,491.18; Continental Mexican Petroleum Company, 1,467,293.53; National Petroleum Company, 1,374,016.56; Interocean Oil Company, 821,617.73; U. S. Mex. Oil Corporation, 664,525.60; Tal Vez Oil Company, 480,889.24; Cochrane and Harper, 165,055.45; Cosmos Compania Mexicana de Petroleo, 37,757.

APPENDIX VII

TREATIES BETWEEN THE UNITED STATES AND MEXICO¹

1828.^a

TREATY OF LIMITS.

Concluded January 12, 1828; ratification advised by the Senate April 4, 1832; ratified by the President April 5, 1832; ratifications exchanged April 5, 1832; proclaimed April 5, 1832.

ARTICLES.

- I. Boundary.
- II. Boundary line.

- III. Commissioners.
- IV. Ratification.

The limits of the United States of America with the bordering territories of Mexico having been fixed and designated by a solemn treaty, concluded and signed at Washington on the twenty-second day of February, in the year of our Lord one thousand eight hundred and nineteen, between the respective Plenipotentiaries of the Government of the United States of America on the one part, and of that of Spain on the other; and whereas the said treaty having been sanctioned at a period when Mexico constituted a part of the Spanish monarchy, it is deemed necessary now to confirm the validity of the aforesaid treaty of limits, regarding it as still in force and binding between the United States of America and the United Mexican States:

With this intention, the President of the United States of America has appointed Joel Roberts Poinsett their Plenipotentiary, and the President of the United Mexican States their Excellencies Sebastian Camacho and José Ygnacio Esteva;

And the said Plenipotentiaries, having exchanged their full powers, have agreed upon and concluded the following articles:

ARTICLE I.

The dividing limits of the respective bordering territories of the United States of America and of the United Mexican States being the same as were agreed and fixed upon by the above-mentioned treaty of Washington, concluded and signed on the twenty-second day of February, in the year one thousand eight hundred and nineteen, the two high contracting parties will proceed forthwith to carry into full effect the third and fourth articles of said treaty, which are herein recited, as follows:

ARTICLE II.

The boundary line between the two countries west of the Mississippi shall begin on the Gulf of Mexico, at the mouth of the river Sabine, in the sea, continuing north along the western bank of that river to the thirty-second degree of latitude; thence by a line due north to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or Red River; then following the course of the Rio Roxo westward to the degree of longitude one hundred west from London and twenty-three from Washington; then crossing the said Red River, and running thence by a line due north to the river Arkansas; thence, following the course of the southern bank of the Arkansas, to its source, in latitude forty-two north; and thence, by that parallel of latitude,

¹ Reprinted from Malloy, *Treaties and Conventions*, I. 1082-1205.

^aThe commission referred to in this treaty was never appointed. The accession of Texas and the war between the United States and Mexico rendered the treaty inoperative.

to the South Sea; the whole being as laid down in Melish's map of the United States, published at Philadelphia, improved to the first of January, one thousand eight hundred eighteen. But if the source of the Arkansas River shall be found to fall north or south of latitude forty-two, then the line shall run from the said source due south or north, as the case may be, till it meets the said parallel of latitude forty-two, and thence, along the said parallel, to the South Sea, all the islands in the Sabine, and the said Red and Arkansas Rivers, throughout the course thus described, to belong to the United States of America; but the use of the waters and the navigation of the Sabine to the sea, and of the said rivers Roxo and Arkansas, throughout the extent of the said boundary on their respective banks, shall be common to the respective inhabitants of both nations.

The two high contracting parties agree to cede and renounce all their rights, claims, and pretensions to the territories described by the said line; that is to say, the United States hereby cede to His Catholic Majesty, and renounce forever, all their rights, claims, and pretensions to the territories lying west and south of the above-described line; and, in like manner, His Catholic Majesty cedes to the said United States all his rights, claims, and pretensions to any territories east and north of the said line; and, for himself, his heirs, and successors, renounces all claim to the said territories forever.

ARTICLE III.

To fix this line with more precision and to place the landmarks which shall designate exactly the limits of both nations, each of the contracting parties shall appoint a commissioner and a surveyor, who shall meet before the termination of one year from the date of the ratification of this treaty, at Natchitoches, on the Red River, and proceed to run and mark the said line, from the mouth of the Sabine to the Red River, and from the Red River to the river Arkansas, and to ascertain the latitude of the source of the said river Arkansas, in conformity to what is above agreed upon and stipulated, and the line of latitude forty-two to the South Sea. They shall make out plans and keep journals of their proceedings; and the result agreed upon by them shall be considered as part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree respecting the necessary articles to be furnished to those persons, and also as to their respective escorts, should such be deemed necessary.

ARTICLE IV.

The present treaty shall be ratified, and the ratifications shall be exchanged at Washington, within the term of four months, or sooner if possible.

In witness whereof we, the respective Plenipotentiaries, have signed the same and have hereunto affixed our respective seals.

Done at Mexico this twelfth day of January, in the year of our Lord one thousand eight hundred and twenty-eight, in the fifty-second year of the Independence of the United States of America, and in the eighth of that of the United Mexican States.

[SEAL.]
[SEAL.]
[SEAL.]

J. R. POINSETT.
S. CAMACHO.
J. Y. ESTEVA.

1831.^a

TREATY OF LIMITS.

Concluded April 5, 1831; ratification advised by the Senate April 4, 1832; ratified by the President April 5, 1832; ratifications exchanged April 5, 1832; proclaimed April 5, 1832.

The time having elapsed which was stipulated for the exchange of ratifications of the treaty of limits between the United States of America and the United Mexican States, signed in Mexico on the twelfth day of January,

^aThis extension treaty expired with the treaty of 1828.

one thousand eight hundred and twenty-eight, and both Republics being desirous that it should be carried into full and complete effect, with all due solemnity, the President of the United States of America has fully empowered, on his part, Anthony Butler, a citizen thereof, and Chargé d'Affaires of the said States in Mexico; and the Vice-President of the United Mexican States, acting as President thereof, has, in like manner, fully empowered, on his part, their Excellencies Lucas Alaman, Secretary of State and Foreign Relations, and Rafael Mangino, Secretary of the Treasury;

Who, after having exchanged their mutual powers, found to be ample and in form, have agreed, and do hereby agree, on the following article:

The ratifications of the treaty of limits concluded on the twelfth of January, one thousand eight hundred and twenty-eight, shall be exchanged at the city of Washington within the term of one year, counting from the date of this agreement, and sooner should it be possible.

The present additional article shall have the same force and effect as if it had been inserted, word for word, in the aforesaid treaty of the twelfth of January, one thousand eight hundred and twenty-eight, and shall be approved and ratified in the manner prescribed by the Constitutions of the respective States.

In faith of which the said Plenipotentiaries have hereunto set their hands and affixed their respective seals. Done in Mexico, the fifth of April of the year one thousand eight hundred and thirty-one, the fifty-fifth of the independence of the United States of America, and the eleventh of that of the United Mexican States.

[SEAL.]

[SEAL.]

[SEAL.]

A. BUTLER.

LUCAS ALAMAN.

RAFAEL MANGINO.

1831.^a

TREATY OF AMITY, COMMERCE, AND NAVIGATION.

Concluded April 5, 1831; ratification advised by the Senate March 23, 1832; ratified by the President April 5, 1832; ratifications exchanged April 5, 1832; proclaimed April 5, 1832.

ARTICLES.

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| I. Amity. | XVIII. Contraband. |
| II. Most favored nation. | XIX. Blockade. |
| III. Entry into ports. | XX. Contraband liable to confiscation. |
| IV. Duties on imports. | XXI. Notice of blockade. |
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| VI. Drawbacks. | XXIII. Sea letters. |
| VII. Reciprocal privileges of citizens. | XXIV. Vessels under convoy. |
| VIII. Embargo. | XXV. Prize courts. |
| IX. Military service. | XXVI. War. |
| X. Asylum for vessels. | XXVII. Ministers. |
| XI. Pirates. | XXVIII. Consuls. |
| XII. Shipwrecks. | XXIX. Consuls. |
| XIII. Succession to personal estate. | XXX. Deserters. |
| XIV. Protection to persons and property. | XXXI. Consular convention. |
| XV. Religious liberty. | XXXII. Interior commerce. |
| XVI. Free ships; free goods. | XXXIII. Indian hostilities. |
| XVII. Neutral flag over enemy's property. | XXXIV. Duration; ratification. |

The United States of America and the United Mexican States, desiring to establish upon a firm basis the relations of friendship that so happily subsist between the two Republics, have determined to fix in a clear and positive manner the rules which shall in future be religiously observed between both, by means of a treaty of amity, commerce and navigation. For which impor-

^aThe operation of this treaty was suspended by war between the parties in 1846-47, but was revived with some exceptions by article 17 of the treaty of February 2, 1848. Article XXXIII was abrogated by the second article of the treaty of December 30, 1853, and the entire treaty was finally terminated November 30, 1881, by virtue of notice given by Mexico.—*J. C. Bancroft Davis' Notes to Treaties and Conventions, 1889, p. 1234.*

Atocha v. U. S. (8 Ct. Cls., 427).

tant object the President of the United States of America has appointed Anthony Butler, a citizen of the United States and Chargé d'Affaires of the United States of America near the United Mexican States, with full powers; and the Vice-President of the United Mexican States, in the exercise of the executive power, having conferred like full powers on His Excellency Lucas Alaman, Secretary of State for Home and Foreign Affairs, and His Excellency Rafael Mangino, Secretary of the Treasury;

And the aforesaid Plenipotentiaries, after having compared and exchanged in due form their several powers as aforesaid, have agreed upon the following articles:

ARTICLE I.

There shall be a firm, inviolable, and universal peace and a true and sincere friendship between the United States of America and the United Mexican States in all the extent of their possessions and territories, and between their people and citizens respectively, without distinction of persons or places.

ARTICLE II.

The United States of America and the United Mexican States, designing to take for the basis of their agreement the most perfect equality and reciprocity, engage mutually not to grant any particular favor to other nations in respect of commerce and navigation which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made, or upon the same conditions, if the concession was conditional.

ARTICLE III.

The citizens of the two countries, respectively, shall have liberty, freely and securely, to come with their vessels and cargoes to all such places, ports, and rivers of the United States of America and of the United Mexican States, to which other foreigners are permitted to come; to enter into the same, and to remain and reside in any part of the said territories respectively; also, to hire and occupy houses and warehouses for the purposes of their commerce, and to trade therein in all sorts of produce, manufactures, and merchandise; and, generally, the merchants and traders of each nation shall enjoy the most complete protection and security for their commerce.

And they shall not pay higher or other duties, imposts, or fees whatsoever, than those which the most favored nations are or may be obliged to pay; and shall enjoy all the rights, privileges, and exemptions, with respect to navigation and commerce, which the citizens of the most favored nation do or may enjoy; but subject always to the laws, usages, and statutes of the two countries respectively.

The liberty to enter and discharge the vessels of both nations of which this article treats shall not be understood to authorize the coasting trade, which is permitted to national vessels only.

ARTICLE IV.

No higher or other duties shall be imposed on the importation into the United Mexican States of any article, the produce, growth, or manufacture of the United States of America, than those which the same or like articles, the produce, growth, or manufacture of any other foreign country do now or may hereafter pay; nor shall articles, the produce, growth, or manufacture of the United Mexican States, be subject, on their introduction into the United States of America, to higher or other duties than those which the same or like articles of any other foreign country do now or may hereafter pay.

Higher duties shall not be imposed in the respective States on the exportation of any article to the States of the other contracting party, than those which are now or may hereafter be paid on the exportation of the like articles to any other foreign country; nor shall any prohibition be estab-

lished on the exportation or importation of any article, the produce, growth, or manufacture of the United States of America, or of the United Mexican States, respectively, in either of them, which shall not in like manner be established with respect to other foreign countries.

ARTICLE V.

No higher or other duties or charges on account of tonnage, light or harbour dues, pilotage, salvage in case of damage or shipwreck, or any other local charges, shall be imposed in any of the ports of Mexico on vessels of the United States of America than those payable in the same ports by Mexican vessels; nor in the ports of the United States of America on Mexican vessels than shall be payable in the same ports on vessels of the United States of America.

ARTICLE VI.

The same duties shall be paid on the importation into the United Mexican States, of any article, the growth, produce, or manufacture of the United States of America, whether such importation shall be in Mexican vessels or in vessels of the United States of America; and the same duties shall be paid on the importation into the United States of America of any article, the growth, produce, or manufacture of Mexico, whether such importation shall be in vessels of the United States of America or in Mexican vessels. The same duties shall be paid and the same bounties and drawbacks allowed on the exportation to Mexico of any articles, the growth, produce, or manufacture of the United States of America, whether such exportation shall be in Mexican vessels or in vessels of the United States of America, and the same duties shall be paid and the same bounties and drawbacks allowed on the exportation of any articles, the growth, produce, or manufacture of Mexico to the United States of America, whether such exportation shall be in vessels of the United States of America or in Mexican vessels.

ARTICLE VII.

All merchants, captains, or commanders of vessels, and other citizens of the United States of America, shall have full liberty in the United Mexican States to direct or manage themselves their own affairs, or to commit them to the management of whomsoever they may think proper, either as broker, factor, agent, or interpreter; nor shall they be obliged to employ for the aforesaid purposes any other persons than those employed by Mexicans, nor to pay them higher salaries or remuneration than such as are in like cases paid by Mexicans; and absolute freedom shall be allowed in all cases to the buyer and seller to bargain and fix the prices of any goods, wares, or merchandise imported into, or exported from, the United Mexican States, as they may think proper; observing the laws, usages, and customs of the country. The citizens of Mexico shall enjoy the same privileges in the States and Territories of the United States of America, being subject to the same conditions.

ARTICLE VIII.

The citizens of neither of the contracting parties shall be liable to any embargo; nor shall their vessels, cargoes, merchandise, or effects, be detained for any military expedition, nor for any public or private purpose whatsoever, without corresponding compensation.

ARTICLE IX.

The citizens of both countries, respectively, shall be exempt from compulsory service in the army or navy; nor shall they be subjected to any other charges, or contributions, or taxes, than such as are paid by the citizens of the States in which they reside.

ARTICLE X.

Whenever the citizens of either of the contracting parties shall be forced to seek refuge or asylum in the rivers, bays, ports, or dominions of the other

with their vessels, whether merchant or of war, public or private, through stress of weather, pursuit of pirates or enemies, they shall be received and treated with humanity, with the precautions which may be deemed expedient on the part of the respective Governments in order to avoid fraud, giving to them all favor and protection for repairing their vessels, procuring provisions, and placing themselves in a situation to continue their voyage without obstacle or hindrance of any kind.

ARTICLE XI.

All vessels, merchandise, or effects, belonging to the citizens of one of the contracting parties, which may be captured by pirates, whether within the limits of its jurisdiction, or on the high seas, and may be carried into or found in the rivers, bays, ports, or dominions of the other, shall be delivered up to the owners, they proving, in due and proper form, their rights before the competent tribunal; it being well understood that the claim shall be made within the term of one year, counting from the capture of said vessels or merchandise, by the parties themselves, or their attorneys, or by the agents of the respective Governments.

ARTICLE XII.

When any vessel belonging to the citizens of either of the contracting parties shall be wrecked, foundered, or shall suffer any damage on the coasts or within the dominions of the other, there shall be given to it all the assistance and protection in the same manner which is usual and customary with the vessels of the nation where the damage happens; permitting them to unload the said vessel, if necessary, of its merchandise and effects, with the precautions which may be deemed expedient on the part of the respective Governments, in order to avoid fraud, without exacting for it any duty, impost, or contribution whatever, until they be exported.

ARTICLE XIII.

In whatever relates to the succession of [personal] estates, either by will or ab intestato [and the rights of] disposal of such property, of whatever sort or denomination it may be, by sale, donation, exchange, or testament, or in any other manner whatsoever, the citizens of the two contracting parties shall enjoy, in their respective States and territories, the same privileges, exemptions, liberties, and rights, as native citizens; and shall not be charged, in any of these respects, with other or higher duties or imposts than those which are now or may hereafter be paid by the citizens of the Power in whose territories they may reside.

ARTICLE XIV.

Both the contracting parties promise and engage to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in their territories, subject to the jurisdiction of the one or of the other, transient or dwelling therein; leaving open and free to them the tribunals of justice for their judicial recourse, on the same terms which are usual and customary with the natives or citizens of the country in which they may be; for which they may employ, in defence of their rights, such advocates, solicitors, notaries, agents, and factors, as they may judge proper, in all their trials at law; and the citizens of either party, or their agents, shall enjoy, in every respect, the same rights and privileges, either in prosecuting or defending their rights of person or of property, as the citizens of the country where the case may be tried.

ARTICLE XV.

The citizens of the United States of America residing in the United Mexican States shall enjoy in their houses, persons, and properties the protection of the Government, with the most perfect security and liberty of conscience; they shall not be disturbed or molested, in any manner, on account of their religion, so long as they respect the Constitution, the laws, and

established usages of the country where they reside; and they shall also enjoy the privilege of burying the dead in places which now are, or may hereafter be assigned for that purpose; nor shall the funerals or sepulchres of the dead be disturbed in any manner, nor under any pretext.

The citizens of the United Mexican States shall enjoy, throughout all the States and Territories of the United States of America, the same protection; and shall be allowed the free exercise of their religion, in public, or in private, either within their own houses, or in the chapels or places of worship set apart for that purpose.

ARTICLE XVI.

It shall be lawful for the citizens of the United States of America and of the United Mexican States, respectively, to sail with their vessels with all manner of security and liberty, no distinction being made who are the owners of the merchandise laden thereon, from any port to the places of those who now are or may hereafter be at enmity with the United States of America, or with the United Mexican States. It shall likewise be lawful for the aforesaid citizens respectively to sail with their vessels and merchandise, before mentioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy, before mentioned, to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same Government or under several; and it is hereby stipulated that free ships shall also give freedom to goods; and that everything shall be deemed free and exempt which shall be found on board the vessels belonging to the citizens of either of the contracting parties, although the whole lading or any part thereof should appertain to the enemies of either, contraband goods being always excepted. It is also agreed that the same liberty be extended to persons who are on board a free vessel, so that, although they be enemies to either party, they shall not be made prisoners, or taken out of that free vessel, unless they are soldiers, and in the actual service of the enemy. By the stipulation that the flag shall cover the property, the two contracting parties agree that this shall be so understood with respect to those Powers who recognize this principle; but if either of the two contracting parties shall be at war with a third party, and the other neutral, the flag of the neutral shall cover the property of enemies whose Governments acknowledge this principle, and not of others.

ARTICLE XVII.

It is likewise agreed that in the case where the neutral flag of one of the contracting parties shall protect the property of the enemies of the other, by virtue of the above stipulation, it shall be always understood that the neutral property found on board such enemies' vessels shall be held and considered as enemies' property, and as such shall be liable to detention and confiscation, except such property as was put on board such vessel before the declaration of war, or even afterwards, if it were done without the knowledge of it; but the contracting parties agree that four months having elapsed after the declaration, their citizens shall not plead ignorance thereof; on the contrary, if the flag of the neutral does not protect the enemy's property, in that case the goods and merchandises embarked in such enemy's vessels shall be free.

ARTICLE XVIII.

This liberty of commerce and navigation shall extend to all kinds of merchandise, excepting those only which are distinguished by the name of contraband; and under this name of contraband or prohibited goods shall be comprehended; first, cannons, mortars, howitzers, swivels, blunderbusses, muskets, fuseses, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberts, and grenades, bombs, powder, matches, balls, and all other things belonging to the use of these arms; secondly, bucklers, helmets, breast-plates, coats of mail, infantry belts, and clothes made up in a military form, and

for a military use; thirdly, cavalry belts and horses with their furniture; fourthly, and generally, all kinds of arms, and instruments of iron, steel, brass, and copper, or of any other materials, manufactured, prepared, and formed expressly to make war by sea or land.

ARTICLE XIX.

All other merchandise and things not comprehended in the articles of contraband expressly enumerated and classified as above, shall be held and considered as free and subjects of free and lawful commerce, so that they may be carried and transported in the freest manner by both the contracting parties, even to places belonging to an enemy, excepting only those places which are at that time besieged or blockaded; and to avoid all doubt in that particular, it is declared that those places only are besieged or blockaded which are actually besieged or blockaded by a belligerent force capable of preventing the entry of the neutral.

ARTICLE XX.

The articles of contraband before enumerated and classified, which may be found in a vessel bound for an enemy's port, shall be subject to detention and confiscation, leaving free the rest of the cargo and the vessel, that the owners may dispose of them as they see proper. No vessels of either of the two nations shall be detained on the high seas on account of having on board articles of contraband, whenever the master, captain, or supercargo of said vessel will deliver up the articles of contraband to the captor, unless the quantity of such articles be so great and of so large a bulk that they cannot be received on board the capturing vessel without great inconvenience; but in this, and in all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port for trial and judgment, according to law.

ARTICLE XXI.

And whereas it frequently happens that vessels sail for a port or place belonging to an enemy without knowing that the same is besieged, blockaded, or invested, it is agreed that every vessel so situated may be turned away from such port or place, but shall not be detained; nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such blockade or investment from the commanding officer of the blockading force, she should again attempt to enter the aforesaid port; but she shall be permitted to go to any other port or place she may think proper. Nor shall any vessel of either of the contracting parties that may have entered into such port before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place with her cargo; nor if found therein after the surrender shall such vessel or her cargo be liable to confiscation, but she shall be restored to the owner thereof.

ARTICLE XXII.

In order to prevent all kinds of disorder in the visiting and examination of the vessels and cargoes of both the contracting parties on the high seas, they have agreed, mutually, that, whenever a vessel of war, public or private, should meet with a neutral vessel of the other contracting party, the first shall remain out of cannon shot, and may send his boat, with two or three men only, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill treatment, for which the commanders of the said armed vessels shall be responsible with their persons and property; and for this purpose the commanders of said private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit. And it is expressly agreed, that the neutral party shall in no case be required to go on board the examining vessel for the purpose of exhibiting his papers, or for any other purpose whatsoever.

ARTICLE XXIII.

To avoid all kinds of vexation and abuse in the examination of the papers relating to the ownership of vessels belonging to the citizens of the two contracting parties, they have agreed, and do agree, that in case one of them should be engaged in war, the vessels belonging to the citizens of the other must be furnished with sea-letters or passports, expressing the name, property, and bulk of the vessel, and also the name and place of habitation of the master or commander of said vessel, in order that it may thereby appear that the said vessel really and truly belongs to the citizens of one of the contracting parties; they have likewise agreed that such vessels being laden, besides the said sea-letters or passports, shall also be provided with certificates containing the several particulars of the cargo and the place whence the vessel sailed, so that it may be known whether any forbidden or contraband goods be on board the same, which certificate shall be made out by the officers of the place whence the vessel sailed, in the accustomed form; without which requisites the said vessel may be detained, to be adjudged by the competent tribunal, and may be declared legal prize, unless the said defect shall be satisfied or supplied by testimony entirely equivalent to the satisfaction of the competent tribunal.

ARTICLE XXIV.

It is further agreed, that the stipulations above expressed, relative to the visiting and examination of vessels, shall apply only to those which sail without convoy; and when said vessels are under convoy, the verbal declaration of the commander of the convoy, or his word of honor, that the vessels under his protection belong to the nation whose flag he carries, and when they are bound to an enemy's port that they have no contraband goods on board, shall be sufficient.

ARTICLE XXV.

It is further agreed, that in all cases the established courts for prize causes, in the country to which the prizes may be conducted, shall alone take cognizance of them. And whenever such tribunal of either party shall pronounce judgment against any vessel, or goods, or property claimed by the citizens of the other party, the sentence or decree shall mention the reason or motives on which the same shall have been founded; and an authenticated copy of the sentence or decree, in conformity with the laws and usages of the country, and of all the proceedings of the case, shall, if demanded, be delivered to the commander or agent of said vessel, without any delay, he paying the legal fees for the same.

ARTICLE XXVI.

For the greater security of the intercourse between the citizens of the United States of America and of the United Mexican States, it is agreed, now for then, that if there should be at any time hereafter an interruption of the friendly relations which now exist, or a war unhappily break out between the two contracting parties, there shall be allowed the term of six months to the merchants residing on the coast, and one year to those residing in the interior of the States and territories of each other respectively, to arrange their business, dispose of their effects, or transport them wheresoever they may please, giving them a safe-conduct to protect them to the port they may designate. Those citizens who may be established in the States and territories aforesaid, exercising any other occupation or trade, shall be permitted to remain in the uninterrupted enjoyment of their liberty and property, so long as they conduct themselves peaceably, and do not commit any offence against the laws; and their goods and effects, of whatever class and condition they may be, shall not be subject to any embargo or sequestration whatever, nor to any charge nor tax other than may be established upon similar goods and effects belonging to the citizens of the State in which they reside respectively; nor shall the debts between individuals, nor moneys in the public funds, or in

public or private banks, nor shares in companies, be confiscated, embargoed, or detained.

ARTICLE XXVII.

Both the contracting parties being desirous of avoiding all inequality in relation to their public communications and official intercourse, have agreed and do agree to grant to the Envoys, Ministers, and other public agents, the same favors, immunities, and exemptions which those of the most favored nation do or may enjoy; it being understood that whatever favors, immunities, or privileges the United States of America or the United Mexican States may find proper to give to the Ministers and public agents of any other Power, shall by the same act be extended to those of each of the contracting parties.

ARTICLE XXVIII.^a

In order that the Consuls and Vice-Consuls of the two contracting parties may enjoy the rights, prerogatives, and immunities which belong to them by their character, they shall, before entering upon the exercise of their functions, exhibit their commission or patent in due form to the Government to which they are accredited; and having obtained their exequatur, they shall be held and considered as such by all the authorities, magistrates, and inhabitants of the consular district in which they reside. It is agreed likewise to receive and admit Consuls and Vice-Consuls in all the ports and places open to foreign commerce, who shall enjoy therein all the rights, prerogatives, and immunities of the Consuls and Vice-Consuls of the most favored nation, each of the contracting parties remaining at liberty to except those ports and places in which the admission and residence of such Consuls and Vice-Consuls may not seem expedient.

ARTICLE XXIX.

It is likewise agreed that the Consuls, Vice-Consuls, their secretaries, officers and persons attached to the service of Consuls, they not being citizens of the country in which the Consul resides, shall be exempt from all compulsory public service, and also from all kinds of taxes, imposts, and contributions levied especially on them, except those which they shall be obliged to pay on account of commerce or their property, to which the citizens and inhabitants, native and foreign, of the country in which they reside, are subject; being in everything besides subject to the laws of their respective States. The archives and papers of the consulates shall be respected inviolably, and under no pretext whatever shall any magistrate seize or in any way interfere with them.

ARTICLE XXX.

The said Consuls shall have power to require the assistance of the authorities of the country, for the arrest, detention, and custody of deserters from the public and private vessels of their country; and for that purpose, they shall address themselves to the courts, judges, and officers competent, and shall demand the said deserters in writing, proving, by an exhibition of the register of the vessel, or ship's roll, or other public documents, that the man or men demanded were part of said crews; and on this demand so proved, (saving always where the contrary is proved), the delivery shall not be refused. Such deserters, when arrested, shall be placed at the disposal of the said Consuls, and may be put in the public prisons at the request and expense of those who reclaim them, to be sent to the vessels to which they belong, or to others of the same nation. But, if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty, and shall not be again arrested for the same cause.

ARTICLE XXXI.

For the purpose of more effectually protecting their commerce and navigation, the two contracting parties do hereby agree, as soon hereafter as circumstances will permit, to form a consular convention, which shall declare

^aThis article was abrogated by the second article of the treaty of December 30, 1853.

specially the powers and immunities of the Consuls and Vice-Consuls of the respective parties.

ARTICLE XXXII.

For the purpose of regulating the interior commerce between the frontier territories of both Republics, it is agreed that the Executive of each shall have power, by mutual agreement, of determining on the route and establishing the roads by which such commerce shall be conducted; and in all cases where the caravans employed in such commerce may require convoy and protection by military escort, the Supreme Executive of each nation shall, by mutual agreement, in like manner, fix on the period of departure for such caravans, and the point at which the military escort of the two nations shall be exchanged. And it is further agreed, that, until the regulations for governing this interior commerce between the two nations shall be established, the commercial intercourse between the State of Missouri of the United States of America, and New Mexico in the United Mexican States, shall be conducted as heretofore, each Government affording the necessary protection to the citizens of the other.

ARTICLE XXXIII.

It is likewise agreed that the two contracting parties shall, by all the means in their power, maintain peace and harmony among the several Indian nations who inhabit the lands adjacent to the lines and rivers which form the boundaries of the two countries; and the better to attain this object, both parties bind themselves expressly to restrain, by force, all hostilities and incursions on the part of the Indian nations living within their respective boundaries: so that the United States of America will not suffer their Indians to attack the citizens of the United Mexican States, nor the Indians inhabiting their territory; nor will the United Mexican States permit the Indians residing within their territories to commit hostilities against the citizens of the United States of America, nor against the Indians residing within the limits of the United States, in any manner whatever.

And in the event of any person or persons, captured by the Indians who inhabit the territory of either of the contracting parties, being or having been carried into the territories of the other, both Governments engage and bind themselves in the most solemn manner to return them to their country as soon as they know of their being within their respective territories, or to deliver them up to the agent or representative of the Government that claims them, giving to each other, reciprocally, timely notice, and the claimant paying the expenses incurred in the transmission and maintenance of such person or persons, who, in the meantime, shall be treated with the utmost hospitality by the local authorities of the place where they may be. Nor shall it be lawful, under any pretext whatever, for the citizens of either of the contracting parties to purchase or hold captive prisoners made by the Indians inhabiting the territories of the other.

ARTICLE XXXIV.

The United States of America and the United Mexican States, desiring to make as durable as circumstances will permit, the relations which are to be established between the two parties by virtue of this treaty or general convention of amity, commerce, and navigation, have declared solemnly, and do agree to the following points:

First. The present treaty shall remain and be in force for eight years from the day of the exchange of the ratifications, and until the end of one year after either of the contracting parties shall have given notice to the other of its intention to terminate the same; each of the contracting parties reserving to itself the right of giving such notice to the other, at the end of said term of eight years. And it is hereby agreed between them that, on the expiration of one year after such notice shall have been received by either of the parties from the other party, this treaty, in all its parts, relating to commerce and navigation, shall altogether cease and determine, and in all

those parts which relate to peace and friendship, it shall be permanently and perpetually binding on both the contracting parties.

Secondly. If any one or more of the citizens of either party shall infringe any of the articles of this treaty, such citizens shall be held personally responsible for the same; and the harmony and good correspondence between the two nations shall not be interrupted thereby; each party engaging in no way to protect the offender, or sanction such violation.

Thirdly. If (what indeed cannot be expected) any of the articles contained in the present treaty shall be violated or infringed in any manner whatever, it is stipulated that neither of the contracting parties will order or authorize any acts of reprisal, nor declare war against the other, on complaints of injuries or damages, until the said party considering itself offended shall first have presented to the other a statement of such injuries or damages, verified by competent proofs, and demanded justice and satisfaction, and the same shall have been either refused or unreasonably delayed.

Fourthly. Nothing in this treaty contained shall, however, be construed to operate contrary to former and existing public treaties with other Sovereigns or States.

The present treaty of amity, commerce, and navigation shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the Vice-President of the United Mexican States, with the consent and approbation of the Congress thereof; and the ratifications shall be exchanged in the city of Washington, within the term of one year, to be counted from the date of the signature hereof, or sooner if possible.

In witness whereof we, the Plenipotentiaries of the United States of America and of the United Mexican States, have signed and sealed these presents. Done in the City of Mexico on the fifth day of April in the year of our Lord one thousand eight hundred and thirty-one, in the fifty-fifth year of the Independence of the United States of America, and in the eleventh of that of the United Mexican States.

[SEAL.]
[SEAL.]
[SEAL.]

A. BUTLER.
LUCAS ALAMAN.
RAFAEL MANGINO.

ADDITIONAL ARTICLE.

Whereas, in the present state of the Mexican shipping, it would not be possible for Mexico to receive the full advantage of the reciprocity established in the fifth and sixth articles of the treaty signed this day, it is agreed that for the term of six years, the stipulations contained in the said articles shall be suspended; and in lieu thereof, it is hereby agreed, that, until the expiration of the said term of six years, American vessels entering into the ports of Mexico, and all articles the produce, growth, or manufacture of the United States of America, imported in such vessels, shall pay no other or higher duties than are or may hereafter be payable in the said ports by the vessels and the like articles the growth, produce, or manufacture of the most favored nation; and, reciprocally, it is agreed that Mexican vessels entering into the ports of the United States of America, and all articles the growth, produce, or manufacture of the United Mexican States, imported in such vessels, shall pay no other or higher duties than are, or may hereafter be, payable in the said ports by the vessels and the like articles the growth, produce, or manufacture of the most favored nation; and that no higher duties shall be paid, or bounties or drawbacks allowed, on the exportation of any article the growth, produce, or manufacture of either country, in the vessels of the other, than upon the exportation of the like articles in the vessels of any other foreign country.

The present additional article shall have the same force and value as if it had been inserted, word for word, in the treaty signed this day. It shall be ratified, and the ratification [shall be] exchanged at the same time.

In witness whereof we, the respective Plenipotentiaries, have signed and sealed the same.

Done at Mexico on the fifth day of April, one thousand eight hundred and thirty-one.

[SEAL.]
[SEAL.]
[SEAL.]

A. BUTLER.
LUCAS ALAMAN.
RAFAEL MANGINO.

1831.

PROTOCOL CONCERNING THE TREATY OF AMITY, COMMERCE AND NAVIGATION
OF 1831.

Concluded September 7, 1831.

Protocol of a conference had on the 7th of September, 1831, between Anthony Butler, Plenipotentiary on the part of the United States of America, and their Excellencies' Lucas Alaman and Raphael Mangino, Plenipotentiaries for the United Mexican States.

The undersigned Plenipotentiaries having assembled in the Office of the Secretary of State for foreign affairs proceeded to consider the articles 7th and 13th of the Treaty of Amity, commerce and navigation concluded by the undersigned Plenipotentiaries, and also that part of the 3d article of the said Treaty contained in the following words: "to trade therein in all sorts of produce, manufactures and merchandise"; These articles 7th and 13th and that part of the 3d above mentioned having been suspended by the Chamber of Deputies of the Congress of the United Mexican States, until the undersigned shall have determined upon the construction which the said articles shall receive in regard to the rights of Commerce that may be enjoyed by the citizens of each of the high contracting parties. After free and mature deliberation, the undersigned have agreed that the construction to be given to the above mentioned articles, shall in no matter restrain the power possessed by each nation respectively of regulating sales by retail of goods, wares and merchandise within their respective States and Territories. And to remove all doubts as to the object designed to be effected by the said Treaty in regard to the several branches which it embraces. The Plenipotentiaries agree that the above-mentioned articles so far as they relate to the Commercial intercourse conducted by the citizens of their respective Countries, it shall be reciprocal and equal reserving however to the United States of America, and to the United Mexican States, full power and entire liberty to regulate commerce of retail, by means of their respective Legislatures in conformity with what each party may consider as the interest of their own citizens, without being restrained by any stipulation contained in the above mentioned Treaty of Amity, Commerce, and Navigation, provided that the Measures adopted by the Legislature of either party, shall be general in their operations and extend equally to the subjects and Citizens of all other nations who maintain commercial relations with the high contracting parties in conformity with the principle of "*the most favored Nation*" established on a reciprocal basis in the Treaty of Amity, Commerce and Navigation concluded by the undersigned Plenipotentiaries and signed on the 5th April of the present year, and of which Treaty the above mentioned articles 3d., 7th and 13 form a part.

In testimony of which the undersigned have subscribed the present protocol in Mexico on the 7th, September in the year 1831.

A. BUTLER
LUCAS ALAMAN
RAPHAEL MANGINO

1831.**PROTOCOL CONCERNING THE TREATY OF AMITY, COMMERCE AND NAVIGATION OF 1831.***Concluded December 17, 1831.*

Protocol of a conference held by their Excellencies the Secretaries of State for Home and Foreign Affairs, and of the Treasury, and Anthony Butler, Chargé d'Affaires of the United States of America, Plenipotentiaries respectively of these States and of those, for the celebration of Treaties of Amity, Commerce, Navigation and boundary between both Republics, the 17th day of December, 1831.

On the 17th of December, 1831, their Excellencies, Lucas Alaman, Secretary of State for Home and Foreign Affairs and Raphael Mangino, Secretary of the Treasury, Plenipotentiaries appointed by the Vice President, in exercise of the executive power of these States, for the celebration of Treaties of Amity, Commerce and Navigation, and for the adjustment of a boundary with the United States of America, and Anthony Butler, Chargé d'Affaires of the said States, and Plenipotentiary appointed, for the same object, by the President of the said States, having met in the Office of the Secretary for Home and Foreign Affairs, the two former set forth, that the Treaty of Amity, Commerce and Navigation, celebrated in this Capital by the undersigned Plenipotentiaries on the fifth of April of the present year, being approved by both Chambers of the General Congress of these States, with the exception of the 34th article, on the approval of which difficulties have occurred, that have caused the deliberation respecting it to be suspended and of the second additional article, which has been disapproved, having been considered unnecessary; and the additional article of the Treaty of Boundary, celebrated the 5th of April last, being also approved, the extraordinary Sessions of Congress have been closed, without a communication to the Executive of the Decree of approbation withheld solely by the difficulties which have occurred only with respect to the said 34th article; and the Plenipotentiaries, having conferred at large upon the particular, desirous on the one part and on the other, that no hindrance should be put to the conclusion of treaties, which, drawing closer the friendly relations that happily unite the two Republics, are equally beneficial to both, they agreed that, to remove every obstacle which might embarrass the attainment of this desired end, the before mentioned 34th article ought to be separated from the Treaty of Amity, Commerce and Navigation, it not having any necessary Connection with the other Stipulations of the said Treaty, and, in the place of it, ought to be substituted the 35th article, which would then become, by numerical order, the 34th and the last; and that, besides, in the copy which should be made for the exchange of ratifications and the publication of the Treaty, the second additional article which has been disapproved by the Congress of these States, should be suppressed.

And it having been thus agreed and settled, for the due and suitable proof of the same, it was equally settled that this Protocol should be written in duplicate, and be signed by the plenipotentiaries; which they did accordingly in the day, month and year already mentioned.

A. BUTLER
LUCAS ALAMAN
RAPHAEL MANGINO

1835.^a

SECOND ADDITIONAL ARTICLE TO TREATY OF LIMITS OF JANUARY 12, 1828.

Concluded April 3, 1835; ratifications exchanged at Washington April 20, 1836; proclaimed April 21, 1836.

A treaty having been concluded and signed in the City of Mexico, on the 12th day of January, 1828, between the United States of America and the Mexican United States, for the purpose of establishing the true dividing line and boundary between the two nations, the 3d article of which treaty is as follows: "To fix this line with more precision, and to place the landmarks which shall designate exactly the limits of both nations, each of the contracting parties shall appoint a commissioner and a surveyor, who shall meet before the termination of one year from the date of the ratification of this treaty at Natchitoches, on the Red River, and proceed to run and mark said line from the mouth of the Sabine to the Red River, and from the Red River to the river Arkansas, and to ascertain the latitude of the source of said river Arkansas, in conformity to what is agreed upon and stipulated, and the line of latitude 42 to the South Sea. They shall make out plans, and keep journals of their proceedings, and the result agreed upon by them shall be considered as part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree respecting the necessary articles to be furnished to those persons, and also as to their respective escorts should such be deemed necessary": And the ratifications of said treaty having been exchanged in the city of Washington, on the 5th day of April, in the year of 1832, but from various causes the contracting parties have been unable to perform the stipulations contained in the above mentioned 3d article, and the period within which the said stipulations could have been executed has elapsed; and both Republics being desirous that the said treaty should be carried into effect with all due solemnity, the President of the United States of America has for that purpose fully empowered on his part Anthony Butler, a citizen thereof and Chargé d'Affaires of said States in Mexico, and the acting President of the United Mexican States having in like manner fully empowered on his part their Excellencies José Maria Gutierrez de Estrada, Secretary of State for Home and Foreign Affairs, and José Mariano Blasco, Secretary of the Treasury; and the said Plenipotentiaries, after having mutually exchanged their full powers, found to be ample and in form, they have agreed and do hereby agree to the following second additional article to the said treaty:

Within the space of one year, to be estimated from the date of the exchange of the ratifications of this said additional article, there shall be appointed by the Government of the United States of America and of the Mexican United States, each a commissioner and surveyor, for the purpose of fixing with more precision the dividing line, and for establishing the landmarks of boundary and limits between the two nations, with the exactness stipulated by the 3d article of the Treaty of Limits, concluded and signed in Mexico on the 12th day of January, 1828, and the ratifications of which were exchanged in Washington city on the 5th day of April, 1832. And the present additional article shall have the same force and effect as if it had been inserted word for word in the above mentioned treaty of the 12th of January, 1828, and shall be approved and ratified in the manner prescribed by the Constitutions of the respective States.

In faith of which the said Plenipotentiaries have hereunto set their hands and affixed their respective seals.

Done in the City of Mexico on the third day of April, in the year of our

^aThe commission referred to was not appointed and the treaty itself expired with the treaty of 1828.

Lord one thousand eight hundred and thirty-five, in the fifty-ninth year of the independence of the United States of America, and of the fifteenth of that of the United Mexican States.

[SEAL.]
[SEAL.]
[SEAL.]

A. BUTLER.
J. M. GUTIERREZ DE ESTRADA.
JOSE MARIANO BLASCO.

1839.^a

CLAIMS CONVENTION.^a

Concluded April 11, 1839; ratification advised by the Senate March 17, 1840; ratified by the President April 6, 1840; ratifications exchanged April 7, 1840; proclaimed April 8, 1840.

ARTICLES.

- | | |
|-----------------------------------|----------------------------|
| I. Claims. | VIII. Umpire. |
| II. Secretaries. | IX. Umpire. |
| III. Meeting. | X. Decision of umpire. |
| IV. Documents. | XI. Payment. |
| V. Decision on justice of claims. | XII. Finality of decision. |
| VI. Payment. | XIII. Expenses. |
| VII. Disagreement of commission. | XIV. Ratification. |

Whereas a convention for the adjustment of claims of citizens of the United States upon the Government of the Mexican Republic was concluded and signed at Washington on the 10th day of September, 1838, which convention was not ratified on the part of the Mexican Government, on the alleged ground that the consent of His Majesty the King of Prussia to provide an arbitrator to act in the case provided by said convention could not be obtained;

And whereas the parties to said convention are still, and equally, desirous of terminating the discussions which have taken place between them in respect to said claims, arising from injuries to the persons and property of citizens of the United States by Mexican authorities, in a manner equally advantageous to the citizens of the United States, by whom said injuries have been sustained, and more convenient to Mexico than that provided by said convention:

The President of the United States has named for this purpose, and furnished with full powers, John Forsyth, Secretary of State of the said United States; and the President of the Mexican Republic has named His Excellency Señor Don Francisco Pizarro Martinez, accredited as Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic to the United States, and has furnished him with full powers for the same purpose;

And the said Plenipotentiaries have agreed upon and concluded the following articles:

ARTICLE I.

It is agreed that all claims of citizens of the United States upon the Mexican Government, statements of which, soliciting the interposition of the Government of the United States, have been presented to the Department of State or to the diplomatic agent of the United States at Mexico until the signature of this convention, shall be referred to four commissioners, who shall form a board, and be appointed in the following manner, namely: two commissioners shall be appointed by the President of the United States, by and with the advice and consent of the Senate thereof, and two commissioners by the President of the Mexican Republic. The said commissioners, so appointed, shall be sworn impartially to examine and decide upon the said claims according to such evidence as shall be laid before them on the part of the United States and the Mexican Republic respectively.

^aGill v. Oliver's Executors (11 How., 529).

ARTICLE II.

The said board shall have two secretaries, versed in the English and Spanish languages; one to be appointed by the President of the United States, by and with the advice and consent of the Senate thereof, and the other by the President of the Mexican Republic. And the said Secretaries shall be sworn faithfully to discharge their duty in that capacity.

ARTICLE III.

The said board shall meet in the city of Washington within three months after the exchange of the ratifications of this convention, and within eighteen months from the time of its meeting shall terminate its duties. The Secretary of State of the United States shall, immediately after the exchange of the ratifications of this convention, give notice of the time of the meeting of the said board, to be published in two newspapers in Washington, and in such other papers as he may think proper.

ARTICLE IV.

All documents which now are in, or hereafter, during the continuance of the commission constituted by this convention, may come into the possession of the Department of State of the United States, in relation to the aforesaid claims, shall be delivered to the board. The Mexican Government shall furnish all such documents and explanations as may be in their possession, for the adjustment of the said claims according to the principles of justice, the law of nations, and the stipulations of the treaty of amity and commerce between the United States and Mexico of the 5th of April, 1831; the said documents to be specified when demanded at the instance of the said commissioners.

ARTICLE V.

The said commissioners shall, by a report under their hands and seals, decide upon the justice of the said claims and the amount of compensation, if any, due from the Mexican Government in each case.

ARTICLE VI.

It is agreed that if it should not be convenient for the Mexican Government to pay at once the amount so found due, it shall be at liberty, immediately after the decisions in the several cases shall have taken place, to issue Treasury notes, receivable at the maritime custom-houses of the Republic in payment of any duties which may be due or imposed at said custom-houses upon goods entered for importation or exportation; said Treasury notes to bear interest at the rate of eight per centum per annum from the date of the award on the claim in payment of which said Treasury notes shall have been issued until that of their receipt at the Mexican custom-houses. But as the presentation and receipt of said Treasury notes at said custom-houses in large amounts might be inconvenient to the Mexican Government, it is further agreed that, in such case, the obligation of said Government to receive them in payment of duties, as above stated, may be limited to one-half the amount of said duties.

ARTICLE VII.

It is further agreed that in the event of the commissioners differing in relation to the aforesaid claims, they shall, jointly or severally, draw up a report, stating, in detail, the points on which they differ, and the grounds upon which their respective opinions have been formed. And it is agreed that the said report or reports, with authenticated copies of all documents upon which they may be founded, shall be referred to the decision of His Majesty the King of Prussia. But as the documents relating to the aforesaid claims are so voluminous that it cannot be expected His Prussian Majesty would be willing or able personally to investigate them, it is agreed that he shall appoint a person to act as an arbiter in his behalf; that the person so appointed shall proceed to Washington; that his traveling expenses to that

city and from thence on his return to his place of residence in Prussia, shall be defrayed, one-half by the United States and one-half by the Mexican Republic; and that he shall receive as a compensation for his services a sum equal to one-half the compensation that may be allowed by the United States to one of the commissioners to be appointed by them, added to one-half the compensation that may be allowed by the Mexican Government to one of the commissioners to be appointed by it. And the compensation of such arbiter shall be paid, one-half by the United States and one-half by the Mexican Government.

ARTICLE VIII.

Immediately after the signature of this convention, the Plenipotentiaries of the contracting parties (both being thereunto competently authorized) shall, by a joint note, addressed to the Minister for Foreign Affairs of His Majesty the King of Prussia, to be delivered by the Minister of the United States at Berlin, invite the said monarch to appoint an umpire to act in his behalf in the manner above mentioned, in case this convention shall be ratified respectively by the Governments of the United States and Mexico.

ARTICLE IX.

It is agreed that, in the event of His Prussian Majesty's declining to appoint an umpire to act in his behalf, as aforesaid, the contracting parties, on being informed thereof, shall, without delay, invite Her Britannic Majesty, and in case of her declining, His Majesty the King of the Netherlands, to appoint an umpire to act in their behalf, respectively, as above provided.

ARTICLE X.

And the contracting parties further engage to consider the decision of such umpire to be final and conclusive on all the matters so referred.

ARTICLE XI.

For any sums of money which the umpire shall find due to citizens of the United States by the Mexican Government, Treasury notes shall be issued in the manner aforementioned.

ARTICLE XII.

And the United States agree forever to exonerate the Mexican Government from any further accountability for claims which shall either be rejected by the board or the arbiter aforesaid, or which, being allowed by either, shall be provided for by the said Government in the manner before mentioned.

ARTICLE XIII.

And it is agreed that each Government shall provide compensation for the commissioners and secretary to be appointed by it; and that the contingent expenses of the board shall be defrayed, one moiety by the United States and one moiety by the Mexican Republic.

ARTICLE XIV.

This convention shall be ratified, and the ratifications shall be exchanged at Washington within twelve months from the signature hereof, or sooner if possible.

In faith whereof we, the Plenipotentiaries of the United States of America and of the Mexican Republic, have signed and sealed these presents.

Done in the city of Washington on the eleventh day of April, in the year of our Lord one thousand eight hundred and thirty-nine, in the sixty-third year of the Independence of the United States of America, and the nineteenth of that of the Mexican Republic.

[SEAL.]
[SEAL.]

JOHN FORSYTH.
FRAN. PIZARRO MARTINEZ.

The commission provided for in the foregoing treaty was duly appointed. The Commission held its first session in Washington August 25, 1840, and terminated its duties February 25, 1842, and by the treaty of 1843 the payment of the awards rendered by the commission under the treaty of 1835 was provided for.

1843.

CLAIMS CONVENTION.

Concluded January 30, 1843; ratification advised by the Senate March 2, 1843; ratified by the President; ratifications exchanged March 29, 1843; proclaimed March 30, 1843.

ARTICLES.

- | | |
|-----------------------------|-------------------------------|
| I. Interest. | V. Interest to cover charges. |
| II. Time of payment. | VI. New convention. |
| III. Place of payment. | VII. Ratification. |
| IV. Pledge of direct taxes. | |

Whereas, by the convention between the United States and the Mexican Republic, of the 11th April, 1839, it is stipulated that, if it should not be convenient to the Mexican Government to pay at once the sums found to be due to the claimants under that convention, that Government shall be at liberty to issue Treasury notes in satisfaction of those sums; and whereas the Government of Mexico [is] anxious to comply with the terms of said convention, and to pay those awards in full, but finds it inconvenient either to pay them in money or to issue the said Treasury notes: The President of the United States has, for the purpose of carrying into full effect the intentions of the said parties, conferred full powers on Waddy Thompson, Envoy Extraordinary and Minister of the United States to the Mexican Government, and the President of the Mexican Republic has conferred full powers on their Excellencies José Maria de Bocanegra, Minister of Foreign Relations, and Manuel Eduardo de Gorostiza, Minister of Finance. And the said Plenipotentiaries, after having exchanged their full powers, found to be in due form, have agreed to and concluded the following articles:

ARTICLE I.

On the 30th day of April, 1843, the Mexican Government shall pay all the interest which may then be due on the awards in favor of claimants under the convention of the 11th of April, 1839, in gold or silver money, in the city of Mexico.

ARTICLE II.

The principal of the said awards, and the interest accruing thereon, shall be paid in five years, in equal installments every three months, the said term of five years to commence on the 30th day of April, 1843, aforesaid.

ARTICLE III.

The payments aforesaid shall be made in the City of Mexico to such person as the United States may authorize to receive them, in gold or silver money. But no circulation, export, nor other duties shall be charged thereon; and the Mexican Government takes the risk, charges, and expenses of the transportation of the money to the city of Vera Cruz.

ARTICLE IV.

The Mexican Government hereby solemnly pledges the proceeds of the direct taxes of the Mexican Republic for the payment of the installments and interest aforesaid, but it is understood that whilst no other fund is thus specifically hypothecated, the Government of the United States, by accepting this pledge, does not incur any obligation to look for payment of those installments and interest to that fund alone.

ARTICLE V.

As this new arrangement, which is entered into for the accommodation of Mexico, will involve additional charges of freight, commission, etc., the Government of Mexico hereby agrees to add two and a half per centum on each of the aforesaid payments on account of said charges.

ARTICLE VI.

A new convention shall be entered into for the settlement of all claims of the Government and citizens of the United States against the Republic of Mexico, which were not finally decided by the late commission which met in the city of Washington, and of all claims of the Government and citizens of Mexico against the United States.

ARTICLE VII.

The ratifications of this convention shall be exchanged at Washington within three months after the date thereof, provided it shall arrive at Washington before the adjournment of the present session of Congress; and if not, then within one month after the meeting of the next Congress of the United States.

In faith whereof we, the Plenipotentiaries of the United States of America and of the Mexican Republic, have signed and sealed these presents.

Done at the City of Mexico on the thirtieth day of January, in the year of our Lord one thousand eight hundred and forty-three, and in the sixty-seventh year of the Independence of the United States of America, and in the twenty-third year of that of the Mexican Republic.

[SEAL.]

[SEAL.]

[SEAL.]

WADDY THOMPSON.

J. MA. DE BOCANEGRA.

M. E. DE GOROSTIZA.

1848.

TREATY OF PEACE, FRIENDSHIP, LIMITS, AND SETTLEMENT.^a

(TREATY OF GUADALUPE HIDALGO.)

Concluded February 2, 1848; ratification advised by the Senate, with amendments, March 10, 1848; ratified by the President March 16, 1848; ratifications exchanged May 30, 1848; proclaimed July 4, 1848.

ARTICLES.

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| I. Declaration of peace. | XIV. Discharge of all prior claims. |
| II. Suspension of hostilities. | XV. Ascertainment of outstanding claims. |
| III. Withdrawal of troops, etc. | XVI. Fortifications. |
| IV. Restoration of territory; evacuation; prisoners. | XVII. Revival of former treaties. |
| V. Boundary line. | XVIII. Supplies for United States troops occupying Mexico. |
| VI. Navigation of Gulf of California and lower Colorado River. | XIX. Imports during United States occupation. |
| VII. Navigation of Gila and Bravo rivers. | XX. Duties on imports before restoration of Mexican customs authorities. |
| VIII. Inhabitants of ceded territory. | XXI. Arbitration of future disagreements. |
| IX. Acquiring United States citizenship. | XXII. Rules to be observed in case of war. |
| X. (Stricken out.) | XXIII. Ratification. |
| XI. Protection against Indians. | Protocol. |
| XII. Payment for ceded lands. | |
| XIII. Payment of claims awarded against Mexico. | |

^a Federal cases: Cross v. Harrison (16 How., 164), Judson v. Corcoran (17 How., 612), McKinney v. Saviego (18 How., 235), U. S. v. Auguisola (1 Wall., 352), U. S. v. Moreno (1 Wall., 400), U. S. v. Yorba (1 Wall., 412), Townsend v. Greeley (5 Wall., 326), In re Atocha (17 Wall., 439), Basse v. Brownsville (22 Law. Ed., 420, 154 U. S., 610), Botiller v. Dominguez (130 U. S., 238), Seabury v. Field (1 McAllister, 1), Friedman v. Goodwin (1 McAllister, 142), Tobin v. Walkinshaw (1 McAllister, 186), Tripp v. Spring (5 Sawy., 209), Atocha v. U. S. (8 Ct. Cls., 427), Crystal Springs Land and Water Co. v. Los Angeles (76 Fed. Rep., 148), In re Rodriguez (81 Fed. Rep., 337), Hooker v. Los Angeles (188 U. S., 314), Sena v. U. S. (189 U. S. 233), Devine v. Los Angeles (202 U. S., 313).

In the name of Almighty God:

The United States of America and the United Mexican States, animated by a sincere desire to put an end to the calamities of the war which unhappily exists between the two Republics, and to establish upon a solid basis relations of peace and friendship, which shall confer reciprocal benefits upon the citizens of both, and assure the concord, harmony, and mutual confidence wherein the two peoples should live, as good neighbours, have for that purpose appointed their respective plenipotentiaries, that is to say:

The President of the United States has appointed Nicholas P. Trist, a citizen of the United States, and the President of the Mexican Republic has appointed Don Luis Gonzaga Cuevas, Don Bernardo Couto, and Don Miguel Atristain, citizens of the said Republic;

Who, after a reciprocal communication of their respective full powers, have, under the protection of Almighty God, the author of peace, arranged, agreed upon, and signed the following:

Treaty of Peace, Friendship, Limits, and Settlement between the United States of America and the Mexican Republic.

ARTICLE I.

There shall be firm and universal peace between the United States of America and the Mexican Republic, and between their respective countries, territories, cities, towns, and people, without exception of places or persons.

ARTICLE II.

Immediately upon the signature of this treaty, a convention shall be entered into between a commissioner or commissioners appointed by the General-in-chief of the forces of the United States, and such as may be appointed by the Mexican Government, to the end that a provisional suspension of hostilities shall take place, and that, in the places occupied by the said forces, constitutional order may be reestablished, as regards the political, administrative, and judicial branches, so far as this shall be permitted by the circumstances of military occupation.

ARTICLE III.

Immediately upon the ratification of the present treaty by the Government of the United States, orders shall be transmitted to the commanders of their land and naval forces, requiring the latter (provided this treaty shall then have been ratified by the Government of the Mexican Republic, and the ratifications exchanged) immediately to desist from blockading any Mexican ports; and requiring the former (under the same condition) to commence, at the earliest moment practicable, withdrawing all troops of the United States then in the interior of the Mexican Republic, to points that shall be selected by common agreement, at a distance from the seaports not exceeding thirty leagues; and such evacuation of the interior of the Republic shall be completed with the least possible delay; the Mexican Government hereby binding itself to afford every facility in its power for rendering the same convenient to the troops, on their march and in their new positions, and for promoting a good understanding between them and the inhabitants. In like manner orders shall be dispatched to the persons in charge of the custom-houses at all ports occupied by the forces of the United States, requiring them (under the same condition) immediately to deliver possession of the same to the persons authorized by the Mexican Government to receive it, together with all bonds and evidences of debt for duties on importations and on exportations, not yet fallen due. Moreover, a faithful and exact account shall be made out, showing the entire amount of all duties on imports and on exports, collected at such custom-houses, or elsewhere in Mexico, by authority of the United States, from and after the day of ratification of this treaty by the

Government of the Mexican Republic; and also an account of the cost of collection; and such entire amount, deducting only the cost of collection, shall be delivered to the Mexican Government, at the city of Mexico, within three months after the exchange of ratifications.

The evacuation of the capital of the Mexican Republic by the troops of the United States, in virtue of the above stipulation, shall be completed in one month after the orders there stipulated for shall have been received by the commander of said troops, or sooner if possible.

ARTICLE IV.

Immediately after the exchange of ratifications of the present treaty all castles, forts, territories, places, and possessions, which have been taken or occupied by the forces of the United States during the present war, within the limits of the Mexican Republic, as about to be established by the following article, shall be definitively restored to the said Republic, together with all the artillery, arms, apparatus of war, munitions, and other public property, which were in the said castles and forts when captured, and which shall remain there at the time when this treaty shall be duly ratified by the Government of the Mexican Republic. To this end, immediately upon the signature of this treaty, orders shall be despatched to the American officers commanding such castles and forts, securing against the removal or destruction of any such artillery, arms, apparatus of war, munitions, or other public property. The city of Mexico, within the inner line of intrenchments surrounding the said city, is comprehended in the above stipulation, as regards the restoration of artillery, apparatus of war, &c.

The final evacuation of the territory of the Mexican Republic, by the forces of the United States, shall be completed in three months from the said exchange of ratifications, or sooner if possible; the Mexican Government hereby engaging, as in the foregoing article, to use all means in its power for facilitating such evacuation, and rendering it convenient to the troops, and for promoting a good understanding between them and the inhabitants.

If, however, the ratification of this treaty by both parties should not take place in time to allow the embarkation of the troops of the United States to be completed before the commencement of the sickly season, at the Mexican ports on the Gulf of Mexico, in such case a friendly arrangement shall be entered into between the General-in-chief of the said troops and the Mexican Government, whereby healthy and otherwise suitable places, at a distance from the ports not exceeding thirty leagues, shall be designated for the residence of such troops as may not yet have embarked, until the return of the healthy season. And the space of time here referred to as comprehending the sickly season shall be understood to extend from the first day of May to the first day of November.

All prisoners of war taken on either side, on land or on sea, shall be restored as soon as practicable after the exchange of ratifications of this treaty. It is also agreed that if any Mexicans should now be held as captives by any savage tribe within the limits of the United States, as about to be established by the following article, the Government of the said United States will exact the release of such captives, and cause them to be restored to their country.

ARTICLE V.^a

The boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly, along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western

^aThis article was amended by Article 1 of the treaty of December 30, 1853.

termination; thence, northward, along the western line of New Mexico, until it intersects the first branch of the river Gila; (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.

The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled "*Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell*"; of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned Plenipotentiaries. And, in order to preclude all difficulty in tracing upon the ground the limit separating Upper from Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific Ocean, distant one marine league due south of the southernmost point of the port of San Diego, according to the plan of said port made in the year 1782 by Don Juan Pantoja, second sailing-master of the Spanish fleet, and published at Madrid in the year 1802, in the atlas to the voyage of the schooners *Sutil* and *Mexicana*; of which plan a copy is hereunto added, signed and sealed by the respective Plenipotentiaries.

In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground landmarks which shall show the limits of both republics, as described in the present article, the two Governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.

The boundary line established by this article shall be religiously respected by each of the two republics, and no change shall ever be made therein, except by the express and free consent of both nations, lawfully given by the General Government of each, in conformity with its own constitution.

ARTICLE VI.^a

The vessels and citizens of the United States shall, in all time, have a free and uninterrupted passage by the Gulf of California, and by the river Colorado below its confluence with the Gila, to and from their possessions situated north of the boundary line defined in the preceding article; it being understood that this passage is to be by navigating the Gulf of California and the river Colorado, and not by land, without the express consent of the Mexican Government.

If, by the examinations which may be made, it should be ascertained to be practicable and advantageous to construct a road, canal, or railway, which should in whole or in part run upon the river Gila, or upon its right or its left bank, within the space of one marine league from either margin of the river, the Governments of both republics will form an agreement regarding its construction, in order that it may serve equally for the use and advantage of both countries.

ARTICLE VII.^a

The river Gila, and the part of the Rio Bravo del Norte lying below the southern boundary of New Mexico, being, agreeably to the fifth article,

^aThis article was amended by Article 4 of the treaty of December 30, 1853.

divided in the middle between the two republics, the navigation of the Gila and of the Bravo below said boundary shall be free and common to the vessels and citizens of both countries; and neither shall, without the consent of the other, construct any work that may impede or interrupt, in whole or in part, the exercise of this right; not even for the purpose of favoring new methods of navigation. Nor shall any tax or contribution, under any denomination or title, be levied upon vessels or persons navigating the same, or upon merchandise or effects transported thereon, except in the case of landing upon one of their shores. If, for the purpose of making the said rivers navigable, or for maintaining them in such state, it should be necessary or advantageous to establish any tax or contribution, this shall not be done without the consent of both Governments.

The stipulations contained in the present article shall not impair the territorial rights of either republic within its established limits.

ARTICLE VIII.

Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

In the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guarantees equally ample as if the same belonged to citizens of the United States.

ARTICLE IX.

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the meantime, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

ARTICLE X.

[Stricken out.]

ARTICLE XI.^a

Considering that a great part of the territories, which, by the present treaty, are to be comprehended for the future within the limits of the United States, is now occupied by savage tribes, who will hereafter be under the exclusive controul of the Government of the United States, and whose incursions within the territory of Mexico would be prejudicial in the extreme, it

^aThis article was abrogated by the second article of the treaty of December 30, 1853.

is solemnly agreed that all such incursions shall be forcibly restrained by the Government of the United States whensoever this may be necessary; and that when they cannot be prevented, they shall be punished by the said government, and satisfaction for the same shall be exacted—all in the same way, and with equal diligence and energy, as if the same incursions were meditated or committed within its own territory, against its own citizens.

It shall not be lawful, under any pretext whatever, for any inhabitant of the United States to purchase or acquire any Mexican, or any foreigner residing in Mexico, who may have been captured by Indians inhabiting the territory of either of the two republics; nor to purchase or acquire horses, mules, cattle, or property of any kind, stolen within Mexican territory by such Indians.

And in the event of any person or persons, captured within Mexican territory by Indians, being carried into the territory of the United States, the Government of the latter engages and binds itself, in the most solemn manner, so soon as it shall know of such captives being within its territory, and shall be able so to do, through the faithful exercise of its influence and power, to rescue them and return them to their country, or deliver them to the agent or representative of the Mexican Government. The Mexican authorities will, as far as practicable, give to the Government of the United States notice of such captures; and its agents shall pay the expenses incurred in the maintenance and transmission of the rescued captives; who, in the mean time, shall be treated with the utmost hospitality by the American authorities at the place where they may be. But if the Government of the United States, before receiving such notice from Mexico, should obtain intelligence, through any other channel, of the existence of Mexican captives within its territory, it will proceed forthwith to effect their release and delivery to the Mexican agent, as above stipulated.

For the purpose of giving to these stipulations the fullest possible efficacy, thereby affording the security and redress demanded by their true spirit and intent, the Government of the United States will now and hereafter pass, without unnecessary delay, and always vigilantly enforce, such laws as the nature of the subject may require. And, finally, the sacredness of this obligation shall never be lost sight of by the said Government, when providing for the removal of the Indians from any portion of the said territories, or for its being settled by citizens of the United States; but, on the contrary, special care shall then be taken not to place its Indian occupants under the necessity of seeking new homes, by committing those invasions which the United States have solemnly obliged themselves to restrain.

ARTICLE XII.

In consideration of the extension acquired by the boundaries of the United States, as defined in the fifth article of the present treaty, the Government of the United States engages to pay to that of the Mexican Republic the sum of fifteen millions of dollars.

Immediately after this treaty shall have been duly ratified by the Government of the Mexican Republic, the sum of three millions of dollars shall be paid to the said Government by that of the United States, at the city of Mexico, in the gold or silver coin of Mexico. The remaining twelve millions of dollars shall be paid at the same place, and in the same coin, in annual installments of three millions of dollars each, together with interest on the same at the rate of six per centum per annum. This interest shall begin to run upon the whole sum of twelve millions from the day of the ratification of the present treaty by the Mexican Government, and the first of the installments shall be paid at the expiration of one year from the same day. Together with each annual installment, as it falls due, the whole interest accruing on such installment from the beginning shall also be paid.

ARTICLE XIII.

The United States engage, moreover, to assume and pay to the claimants all the amounts now due them, and those hereafter to become due, by reason of the claims already liquidated and decided against the Mexican Republic, under the conventions between the two republics severally concluded on the eleventh day of April, eighteen hundred and thirty-nine, and on the thirtieth day of January, eighteen hundred and forty-three; so that the Mexican Republic shall be absolutely exempt, for the future, from all expense whatever on account of the said claims.

ARTICLE XIV.

The United States do furthermore discharge the Mexican Republic from all claims of citizens of the United States, not heretofore decided against the Mexican Government, which may have arisen previously to the date of the signature of this treaty; which discharge shall be final and perpetual, whether the said claims be rejected or be allowed by the board of commissioners provided for in the following article, and whatever shall be the total amount of those allowed.

ARTICLE XV.^a

The United States, exonerating Mexico from all demands on account of the claims of their citizens mentioned in the preceding article, and considering them entirely and forever cancelled, whatever their amount may be, undertake to make satisfaction for the same, to an amount not exceeding three and one-quarter millions of dollars. To ascertain the validity and amount of those claims, a board of commissioners shall be established by the Government of the United States, whose awards shall be final and conclusive; provided that, in deciding upon the validity of each claim, the board shall be guided and governed by the principles and rules of decision prescribed by the first and fifth articles of the unratified convention, concluded at the city of Mexico on the twentieth day of November, one thousand eight hundred and forty-three; and in no case shall an award be made in favour of any claim not embraced by these principles and rules.

If, in the opinion of the said board of commissioners or of the claimants, any books, records, or documents, in the possession or power of the Government of the Mexican Republic, shall be deemed necessary to the just decision of any claim, the commissioners, or the claimants through them, shall, within such period as Congress may designate, make an application in writing for the same, addressed to the Mexican Minister for Foreign Affairs, to be transmitted by the Secretary of State of the United States; and the Mexican Government engages, at the earliest possible moment after the receipt of such demand, to cause any of the books, records, or documents so specified, which shall be in their possession or power, (or authenticated copies or extracts of the same), to be transmitted to the said Secretary of State, who shall immediately deliver them over to the said board of commissioners; provided that no such application shall be made by or at the instance of any claimant, until the facts which it is expected to prove by such books, records, or documents, shall have been stated under oath or affirmation.

ARTICLE XVI.

Each of the contracting parties reserves to itself the entire right to fortify whatever point within its territory it may judge proper so to fortify for its security.

ARTICLE XVII.

The treaty of amity, commerce, and navigation, concluded at the city of Mexico on the fifth day of April, A. D. 1831, between the United States of America and the United Mexican States, except the additional article, and

^aBy act of March 3, 1849, these commissioners were appointed to examine and adjust claims. The commission concluded April 15, 1851, allowing claims to the amount of \$3,208,314.96.

except so far as the stipulations of the said treaty may be incompatible with any stipulation contained in the present treaty, is hereby revived for the period of eight years from the day of the exchange of ratifications of this treaty, with the same force and virtue as if incorporated therein; it being understood that each of the contracting parties reserves to itself the right, at any time after the said period of eight years shall have expired, to terminate the same by giving one year's notice of such intention to the other party.

ARTICLE XVIII.

All supplies whatever for troops of the United States in Mexico, arriving at ports in the occupation of such troops previous to the final evacuation thereof, although subsequently to the restoration of the custom-houses at such ports, shall be entirely exempt from duties and charges of any kind; the Government of the United States hereby engaging and pledging its faith to establish, and vigilantly to enforce, all possible guards for securing the revenue of Mexico, by preventing the importation, under cover of this stipulation, of any articles other than such, both in kind and in quantity, as shall really be wanted for the use and consumption of the forces of the United States during the time they may remain in Mexico. To this end it shall be the duty of all officers and agents of the United States to denounce to the Mexican authorities at the respective ports any attempts at a fraudulent abuse of this stipulation, which they may know of, or may have reason to suspect, and to give to such authorities all the aid in their power with regard thereto; and every such attempt, when duly proved and established by sentence of a competent tribunal, shall be punished by the confiscation of the property so attempted to be fraudulently introduced.

ARTICLE XIX.

With respect to all merchandise, effects, and property whatsoever, imported into ports of Mexico whilst in the occupation of the forces of the United States, whether by citizens of either republic, or by citizens or subjects of any neutral nation, the following rules shall be observed:

1. All such merchandise, effects, and property, if imported previously to the restoration of the custom-houses to the Mexican authorities, as stipulated for in the third article of this treaty, shall be exempt from confiscation, although the importation of the same be prohibited by the Mexican tariff.

2. The same perfect exemption shall be enjoyed by all such merchandise, effects, and property, imported subsequently to the restoration of the custom-houses, and previously to the sixty days fixed in the following article for the coming into force of the Mexican tariff at such ports respectively; the said merchandise, effects, and property being, however, at the time of their importation, subject to the payment of duties, as provided for in the said following article.

3. All merchandise, effects, and property described in the two rules foregoing shall, during their continuance at the place of importation, and upon their leaving such place for the interior, be exempt from all duty, tax, or impost of every kind, under whatsoever title or denomination. Nor shall they be there subjected to any charge whatsoever upon the sale thereof.

4. All merchandise, effects, and property, described in the first and second rules, which shall have been removed to any place in the interior whilst such place was in the occupation of the forces of the United States, shall, during their continuance therein, be exempt from all tax upon the sale or consumption thereof, and from every kind of impost or contribution, under whatsoever title or denomination.

5. But if any merchandise, effects, or property, described in the first and second rules, shall be removed to any place not occupied at the time by the forces of the United States, they shall, upon their introduction into such

place, or upon their sale or consumption there, be subject to the same duties which, under the Mexican laws, they would be required to pay in such cases if they had been imported in time of peace, through the maritime custom-houses, and had there paid the duties conformably with the Mexican tariff.

6. The owners of all merchandise, effects, or property, described in the first and second rules, and existing in any port of Mexico, shall have the right to reship the same, exempt from all tax, impost, or contribution whatever.

With respect to the metals, or other property, exported from any Mexican port whilst in the occupation of the forces of the United States, and previously to the restoration of the custom-house at such port, no person shall be required by the Mexican authorities, whether general or state, to pay any tax, duty, or contribution upon any such importation, or in any manner to account for the same to the said authorities.

ARTICLE XX.

Through consideration for the interests of commerce generally, it is agreed, that if less than sixty days should elapse between the date of the signature of this treaty and the restoration of the custom-houses, conformably with the stipulation in the third article, in such case all merchandise, effects, and property whatsoever, arriving at the Mexican ports after the restoration of the said custom-houses, and previously to the expiration of sixty days after the day of the signature of this treaty, shall be admitted to entry; and no other duties shall be levied thereon than the duties established by the tariff found in force at such custom-houses at the time of the restoration of the same. And to all such merchandise, effects, and property, the rules established by the preceding article shall apply.

ARTICLE XXI.

If unhappily any disagreement should hereafter arise between the Governments of the two republics, whether with respect to the interpretation of any stipulation in this treaty, or with respect to any other particular concerning the political or commercial relations of the two nations, the said Governments, in the name of those nations, do promise to each other that they will endeavour, in the most sincere and earnest manner, to settle the differences so arising, and to preserve the state of peace and friendship in which the two countries are now placing themselves, using, for this end, mutual representations and pacific negotiations. And if, by these means, they should not be enabled to come to an agreement, a resort shall not, on this account, be had to reprisals, aggression, or hostility of any kind, by the one republic against the other, until the Government of that which deems itself aggrieved shall have maturely considered, in the spirit of peace and good neighbourhood, whether it would not be better that such difference should be settled by the arbitration of commissioners appointed on each side, or by that of a friendly nation. And should such course be proposed by either party, it shall be acceded to by the other, unless deemed by it altogether incompatible with the nature of the difference, or the circumstances of the case.

ARTICLE XXII.

If (which is not to be expected, and which God forbid) war should unhappily break out between the two republics, they do now, with a view to such calamity, solemnly pledge themselves to each other and to the world to observe the following rules; absolutely where the nature of the subject permits, and as closely as possible in all cases where such absolute observance shall be impossible:

1. The merchants of either republic then residing in the other shall be allowed to remain twelve months, (for those dwelling in the interior), and six months, (for those dwelling at the seaports), to collect their debts and settle their affairs; during which periods they shall enjoy the same protec-

tion, and be on the same footing, in all respects, as the citizens or subjects of the most friendly nations; and, at the expiration thereof, or at any time before, they shall have full liberty to depart, carrying off all their effects without molestation or hindrance, conforming therein to the same laws which the citizens or subjects of the most friendly nations are required to conform to. Upon the entrance of the armies of either nation into the territories of the other, women and children, ecclesiastics, scholars of every faculty, cultivators of the earth, merchants, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and in general all persons whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, unmolested in their persons. Nor shall their houses or goods be burnt or otherwise destroyed, nor their cattle taken, nor their fields wasted, by the armed force into whose power, by the events of war, they may happen to fall; but if the necessity arise to take anything from them for the use of such armed force, the same shall be paid for at an equitable price. All churches, hospitals, schools, colleges, libraries, and other establishments for charitable and beneficent purposes, shall be respected, and all persons connected with the same protected in the discharge of their duties, and the pursuit of their vocations.

2. In order that the fate of prisoners of war may be alleviated, all such practices as those of sending them into distant, inclement, or unwholesome districts, or crowding them into close and noxious places, shall be studiously avoided. They shall not be confined in dungeons, prison-ships, or prisons; nor be put in irons, or bound, or otherwise restrained in the use of their limbs. The officers shall enjoy liberty on their paroles, within convenient districts, and have comfortable quarters; and the common soldier shall be disposed in cantonments, open and extensive enough for air and exercise, and lodged in barracks as roomy and good as are provided by the party in whose power they are for its own troops. But if any officer shall break his parole by leaving the district so assigned him, or any other prisoner shall escape from the limits of his cantonment, after they shall have been designated to him, such individual, officer, or other prisoner, shall forfeit so much of the benefit of this article as provides for his liberty on parole or in cantonment. And if any officer so breaking his parole, or any common soldier so escaping from the limits assigned him, shall afterwards be found in arms, previously to his being regularly exchanged, the person so offending shall be dealt with according to the established laws of war. The officers shall be daily furnished, by the party in whose power they are, with as many rations, and of the same articles, as are allowed, either in kind or by commutation, to officers of equal rank in its own army; and all others shall be daily furnished with such ration as is allowed to a common soldier in its own service; the value of all which supplies shall, at the close of the war, or at periods to be agreed upon between the respective commanders, be paid by the other party, on a mutual adjustment of accounts for the subsistence of prisoners; and such accounts shall not be mingled with or set off against any others, nor the balance due on them be withheld, as a compensation or reprisal for any cause whatever, real or pretended. Each party shall be allowed to keep a commissary of prisoners, appointed by itself, with every cantonment of prisoners, in possession of the other; which commissary shall see the prisoners as often as he pleases; shall be allowed to receive, exempt from all duties or taxes, and to distribute, whatever comforts may be sent to them by their friends; and shall be free to transmit his reports in open letters to the party by whom he is employed.

And it is declared that neither the pretence that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending the solemn covenant contained in this article. On the contrary, the state of war is precisely that for which it is provided; and, during which, its stipulations are to be as sacredly observed as the most acknowledged obligations under the law of nature or nations.

ARTICLE XXIII.

This treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Mexican Republic, with the previous approbation of its general Congress; and the ratifications shall be exchanged in the city of Washington, or at the seat of Government of Mexico, in four months from the date of the signature hereof, or sooner if practicable.

In faith whereof we, the respective Plenipotentiaries, have signed this treaty of peace, friendship, limits, and settlement, and have hereunto affixed our seals respectively. Done in quintuplicate, at the city of Guadalupe Hidalgo, on the second day of February, in the year of our Lord one thousand eight hundred and forty-eight.

[SEAL.]
[SEAL.]
[SEAL.]
[SEAL.]

N. P. TRIST.
LUIS G. CUEVAS.
BERNARDO COUTO.
MIGL. ATRISTAIN.

 PROTOCOL.

In the city of Queretaro, on the twenty-sixth of the month of May, eighteen hundred and forty-eight, at a conference between their excellencies Nathan Clifford and Ambrose H. Sevier, Commissioners of the U. S. of A., with full powers from their Government to make to the Mexican Republic suitable explanations in regard to the amendments which the Senate and Government of the said United States have made in the treaty of peace, friendship, limits, and definitive settlement between the two Republics, signed in Guadalupe Hidalgo, on the second day of February of the present year; and His Excellency Don Luis de la Rosa, Minister of Foreign Affairs of the Republic of Mexico; it was agreed, after adequate conversation, respecting the changes alluded to, to record in the present protocol the following explanations, which their aforesaid excellencies the Commissioners gave in the name of their Government and in fulfillment of the commission conferred upon them near the Mexican Republic:

1st. The American Government by suppressing the IXth article of the treaty of Guadalupe Hidalgo and substituting the IIIId article of the treaty of Louisiana, did not intend to diminish in any way what was agreed upon by the aforesaid article IXth in favor of the inhabitants of the territories ceded by Mexico. Its understanding is that all of that agreement is contained in the 3d article of the treaty of Louisiana. In consequence all the privileges and guarantees, civil, political, and religious, which would have been possessed by the inhabitants of the ceded territories, if the IXth article of the treaty had been retained, will be enjoyed by them, without any difference, under the article which has been substituted.

2d. The American Government by suppressing the Xth article of the treaty of Guadalupe did not in any way intend to annul the grants of lands made by Mexico in the ceded territories. These grants, notwithstanding the suppression of the article of the treaty, preserve the legal value which they may possess, and the grantees may cause their legitimate [titles] to be acknowledged before the American tribunals.

Conformably to the law of the United States, legitimate titles to every description of property, personal and real, existing in the ceded territories are those which were legitimate titles under the Mexican law in California and New Mexico up to the 13th of May, 1846, and in Texas up to the 2d March, 1836.

3d. The Government of the United States, by suppressing the concluding paragraph of article XIIth of the treaty, did not intend to deprive the Mexican Republic of the free and unrestrained faculty of ceding, conveying, or transferring at any time (as it may judge best) the sum of the twelve millions of dollars which the same Government of the U. States is to deliver in the places designated by the amended article.

And these explanations having been accepted by the Minister of Foreign Affairs of the Mexican Republic, he declared, in name of his Government, that with the understanding conveyed by them the same Government would proceed to ratify the treaty of Guadalupe, as modified by the Senate and Government of the U. States. In testimony of which, their Excellencies, the aforesaid Commissioners and the Minister have signed and sealed, in quintuplicate, the present protocol.

[SEAL.]
[SEAL.]
[SEAL.]

A. H. SEVIER.
NATHAN CLIFFORD.
LUIS DE LA ROSA.

ARTICLES REFERRED TO IN THE FIFTEENTH ARTICLE OF THE PRECEDING TREATY.

First and fifth articles of the unratified convention between the United States and the Mexican Republic of the 20th November, 1843.

ARTICLE I.

All claims of citizens of the Mexican Republic against the Government of the United States which shall be presented in the manner and time hereinafter expressed, and all claims of citizens of the United States against the Government of the Mexican Republic, which, for whatever cause, were not submitted to, nor considered, nor finally decided by, the commission, nor by the arbiter appointed by the convention of 1839, and which shall be presented in the manner and time hereinafter specified, shall be referred to four commissioners, who shall form a board, and shall be appointed in the following manner, that is to say: Two commissioners shall be appointed by the President of the Mexican Republic, and the other two by the President of the United States, with the approbation and consent of the Senate. The said commissioners, thus appointed, shall, in presence of each other, take an oath to examine and decide impartially the claims submitted to them, and which may lawfully be considered, according to the proofs which shall be presented, the principles of right and justice, the law of nations, and the treaties between the two republics.

ARTICLE V.

All claims of citizens of the United States against the Government of the Mexican Republic, which were considered by the commissioners, and referred to the umpire appointed under the convention of the eleventh April, 1839, and which were not decided by him, shall be referred to, and decided by, the umpire to be appointed, as provided by this convention, on the points submitted to the umpire under the late convention, and his decision shall be final and conclusive. It is also agreed, that if the respective commissioners shall deem it expedient, they may submit to the said arbiter new arguments upon the said claims.

1853.*

TREATY OF BOUNDARY, CESSION OF TERRITORY, TRANSIT OF ISTHMUS OF TEHUANTEPEC, ETC.

(GADSDEN TREATY.)

Concluded December 30, 1853; ratification advised by the Senate with amendments April 25, 1854; ratified by the President June 29, 1854; ratifications exchanged June 30, 1854; proclaimed June 30, 1854.

ARTICLES.

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| I. Boundary established; survey, etc. | V. Inhabitants of ceded territory; fortifications; navigation and commerce. |
| II. Release of obligations as to Indians. | VI. Recognition of land grants. |
| III. Payment for territory acquired. | VII. Adjustment of future differences. |
| IV. Navigation of Gulf of California, Colorado, and Bravo rivers. | VIII. Transit of Tehuantepec Isthmus. |
| | IX. Ratification. |

*Federal case: In re Rodriguez (81 Fed. Rep., 337).

In the name of Almighty God.

The Republic of Mexico and the United States of America, desiring to remove every cause of disagreement which might interfere in any manner with the better friendship and intercourse between the two countries, and especially in respect to the true limits which should be established, when, notwithstanding what was covenanted in the treaty of Guadalupe Hidalgo in the year 1848, opposite interpretations have been urged, which might give occasion to questions of serious moment: To avoid these, and to strengthen and more firmly maintain the peace which happily prevails between the two republics, the President of the United States has, for this purpose, appointed James Gadsden, Envoy Extraordinary and Minister Plenipotentiary of the same near the Mexican Government, and the President of Mexico has appointed as Plenipotentiary "*ad hoc*" his excellency Don Manuel Diez de Bonilla, cavalier grand cross of the national and distinguished order of Guadalupe, and Secretary of State and of the office of Foreign Relations, and Don José Salazar Ylarregui and General Mariano Monterde, as scientific commissioners, invested with full powers for this negotiation; who, having communicated their respective full powers, and finding them in due and proper form, have agreed upon the articles following:

ARTICLE I.

The Mexican Republic agrees to designate the following as her true limits with the United States for the future: Retaining the same dividing line between the two Californias as already defined and established, according to the 5th article of the treaty of Guadalupe Hidalgo, the limits between the two republics shall be as follows: Beginning in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, as provided in the fifth article of the treaty of Guadalupe Hidalgo; thence, as defined in the said article, up the middle of that river to the point where the parallel of $31^{\circ} 47'$ north latitude crosses the same; thence due west one hundred miles; thence south to the parallel of $31^{\circ} 20'$ north latitude; thence along the said parallel of $31^{\circ} 20'$ to the 111th meridian of longitude west of Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers; thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.

For the performance of this portion of the treaty, each of the two Governments shall nominate one commissioner, to the end that, by common consent, the two thus nominated, having met in the city of Paso del Norte, three months after the exchange of the ratifications of this treaty, may proceed to survey and mark out upon the land the dividing line stipulated by this article, where it shall not have already been surveyed and established by the mixed commission, according to the treaty of Guadalupe, keeping a journal and making proper plans of their operations. For this purpose, if they should judge it necessary, the contracting parties shall be at liberty each to unite to its respective commissioner scientific or other assistants, such as astronomers and surveyors, whose concurrence shall not be considered necessary for the settlement and ratification of a true line of division between the two republics; that line shall be alone established upon which the commissioners may fix, their consent in this particular being considered decisive and an integral part of this treaty, without necessity of ulterior ratification or approval, and without room for interpretation of any kind by either of the parties contracting.

The dividing line thus established shall, in all time, be faithfully respected by the two Governments, without any variation therein, unless of the express and free consent of the two, given in conformity to the principles of the law of nations, and in accordance with the constitution of each country, respectively.

In consequence, the stipulation in the 5th article of the treaty of Guadalupe upon the boundary line therein described is no longer of any force,

wherein it may conflict with that here established, the said line being considered annulled and abolished wherever it may not coincide with the present, and in the same manner remaining in full force where in accordance with the same.

ARTICLE II.

The Government of Mexico hereby releases the United States from all liability on account of the obligations contained in the eleventh article of the treaty of Guadalupe Hidalgo; and the said article and the thirty-third article of the treaty of amity, commerce, and navigation between the United States of America and the United Mexican States, concluded at Mexico on the fifth day of April, 1831, are hereby abrogated.

ARTICLE III.

In consideration of the foregoing stipulations, the Government of the United States agrees to pay to the Government of Mexico, in the city of New York, the sum of ten millions of dollars, of which seven millions shall be paid immediately upon the exchange of the ratifications of this treaty, and the remaining three millions as soon as the boundary line shall be surveyed, marked and established.

ARTICLE IV.

The provisions of the 6th and 7th articles of the treaty of Guadalupe Hidalgo having been rendered nugatory for the most part by the cession of territory granted in the first article of this treaty, the said articles are hereby abrogated and annulled, and the provisions as herein expressed substituted therefor. The vessels and citizens of the United States, shall, in all time, have free and uninterrupted passage through the Gulf of California, to and from their possessions situated north of the boundary line of the two countries. It being understood that this passage is to be by navigating the Gulf of California and the river Colorado, and not by land without the express consent of the Mexican Government; and precisely the same provisions, stipulations, and restrictions, in all respects, are hereby agreed upon and adopted, and shall be scrupulously observed and enforced, by the two contracting Governments, in reference to the Rio Colorado, so far and for such distance as the middle of that river is made their common boundary line by the first article of this treaty.

The several provisions, stipulations, and restrictions contained in the 7th article of the treaty of Guadalupe Hidalgo shall remain in force only so far as regards the Rio Bravo del Norte, below the initial of the said boundary provided in the first article of this treaty; that is to say, below the intersection of the 31° 47' 30" parallel of latitude, with the boundary line established by the late treaty dividing said river from its mouth upwards, according to the 5th article of the treaty of Guadalupe.

ARTICLE V.

All the provisions of the eighth and ninth, sixteenth and seventeenth articles of the treaty of Guadalupe Hidalgo, shall apply to the territory ceded by the Mexican Republic in the first article of the present treaty, and to all the rights of persons and property, both civil and ecclesiastical, within the same, as fully and as effectually as if the said articles were herein again recited and set forth.

ARTICLE VI.

No grants of land within the territory ceded by the first article of this treaty bearing date subsequent to the day—twenty-fifth of September—when the Minister and subscriber to this treaty on the part of the United States proposed to the Government of Mexico to terminate the question of boundary, will be considered valid or be recognized by the United States, or will any grants made previously be respected or be considered as obligatory which have not been located and duly recorded in the archives of Mexico.

ARTICLE VII.

Should there at any future period (which God forbid) occur any disagreement between the two nations which might lead to a rupture of their relations and reciprocal peace, they bind themselves in like manner to procure by every possible method the adjustment of every difference; and should they still in this manner not succeed, never will they proceed to a declaration of war without having previously paid attention to what has been set forth in article 21 of the treaty of Guadalupe for similar cases; which article, as well as the 22d, is here re-affirmed.

ARTICLE VIII.

The Mexican Government having on the 5th of February, 1853, authorized the early construction of a plank and rail road across the Isthmus of Tehuantepec, and, to secure the stable benefits of said transit way to the persons and merchandise of the citizens of Mexico and the United States, it is stipulated that neither Government will interpose any obstacle to the transit of persons and merchandise of both nations; and at no time shall higher charges be made on the transit of persons and property of citizens of the United States than may be made on the persons and property of other foreign nations, nor shall any interest in said transit way, nor in the proceeds thereof, be transferred to any foreign government.

The United States, by its agents, shall have the right to transport across the isthmus, in closed bags, the mails of the United States not intended for distribution along the line of communication; also the effects of the United States Government and its citizens, which may be intended for transit, and not for distribution on the isthmus, free of custom-house or other charges by the Mexican Government. Neither passports nor letters of security will be required of persons crossing the isthmus and not remaining in the country.

When the construction of the railroad shall be completed, the Mexican Government agrees to open a port of entry in addition to the port of Vera Cruz, at or near the terminus of said road on the Gulf of Mexico.

The two Governments will enter into arrangements for the prompt transit of troops and munitions of the United States, which that Government may have occasion to send from one part of its territory to another, lying on opposite sides of the continent.

The Mexican Government having agreed to protect with its whole power the prosecution, preservation, and security of the work, the United States may extend its protection as it shall judge wise to it when it may feel sanctioned and warranted by the public or international law.

ARTICLE IX.

This treaty shall be ratified, and the respective ratifications shall be exchanged at the city of Washington within the exact period of six months from the date of its signature, or sooner if possible.

In testimony whereof we, the Plenipotentiaries of the contracting parties, have hereunto affixed our hands and seals at Mexico, the thirtieth (30th) day of December, in the year of our Lord one thousand eight hundred and fifty-three, in the thirty-third year of the Independence of the Mexican Republic, and the seventy-eighth of that of the United States.

[SEAL.]
[SEAL.]
[SEAL.]
[SEAL.]

JAMES GADSDEN.
MANUEL DIEZ DE BONILLA.
JOSÉ SALAZAR YLARREGUI.
J. MARIANO MONTERDE.

1861.^a

EXTRADITION TREATY.

Concluded December 11, 1861; ratification advised by the Senate with amendments April 9, 1862; ratified by the President April 11, 1862; ratifications exchanged May 20, 1862; proclaimed June 20, 1862.

ARTICLES.

- | | |
|--|-------------------------|
| I. Surrender of accused. | V. Expenses. |
| II. Requisitions; crimes in frontier States. | VI. Political offenses. |
| III. Crimes. | VII. Duration. |
| IV. Surrender, how made. | VIII. Ratification. |

The United States of America and the United Mexican States, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories and jurisdictions, that persons charged with the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a treaty for this purpose, and have named as their respective Plenipotentiaries, that is to say:

The President of the United States of America has appointed Thomas Corwin, a citizen of the United States, and their Envoy Extraordinary and Minister Plenipotentiary near the Mexican Government; and the President of the United Mexican States has appointed Sebastian Lerdo de Tejada, a citizen of the said States, and a Deputy of the Congress of the Union;

Who, after having communicated to each other their respective full powers found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

It is agreed that the contracting parties shall, on requisitions made in their name, through the medium of their respective diplomatic agents, deliver up to justice persons who, being accused of the crimes enumerated in article third of the present treaty, committed within the jurisdiction of the requiring party, shall seek an asylum, or shall be found within the territories of the other: *Provided*, That this shall be done only when the fact of the commission of the crime shall be so established as that the laws of the country in which the fugitive or the person so accused shall be found, would justify his or her apprehension and commitment for trial if the crime had been there committed.

ARTICLE II.

In the case of crimes committed in the frontier States or Territories of the two contracting parties, requisitions may be made through their respective diplomatic agents, or through the chief civil authority of said States or Territories, or through such chief civil or judicial authority of the districts or counties bordering on the frontier as may for this purpose be duly authorized by the said chief civil authority of the said frontier States or Territories, or when, from any cause, the civil authority of such State or Territory shall be suspended, through the chief military officer in command of such State or Territory.

ARTICLE III.

Persons shall be so delivered up who shall be charged, according to the provisions of this treaty, with any of the following crimes, whether as principals, accessories, or accomplices, to wit: Murder, (including assassination, parricide, infanticide, and poisoning); assault with intent to commit murder;

^aBy notification from the Mexican Government this treaty was abrogated January 24, 1899.

Federal cases: *Benson v. McMahon* (127 U. S., 457), *Ornelas v. Ruiz* (161 U. S., 502), *Ex parte Coy* (32 Fed. Rep., 911), *In re Benson* (34 Fed. Rep., 649), *Ex parte McCabe* (46 Fed. Rep., 363), *In re Rowe* (77 Fed. Rep., 161), *Ex parte Yerdi* (106 Fed. Rep., 921).

mutilation; piracy; arson, rape; kidnapping, defining the same to be the taking and carrying away of a free person by force or deception; forgery, including the forging or making, or knowingly passing or putting in circulation counterfeit coin or bank notes, or other paper current as money, with intent to defraud any person or persons; the introduction or making of instruments for the fabrication of counterfeit coin or bank notes, or other paper current as money; embezzlement of public moneys; robbery, defining the same to be the felonious and forcible taking from the person of another of goods or money to any value, by violence or putting him in fear; burglary, defining the same to be breaking and entering into the house of another with intent to commit felony; and the crime of larceny of cattle, or other goods and chattels, of the value of twenty-five dollars or more, when the same is committed within the frontier States or Territories of the contracting parties.

ARTICLE IV.

On the part of each country the surrender of fugitives from justice shall be made only by the authority of the Executive thereof, except in the case of crimes committed within the limits of the frontier States or Territories, in which latter case the surrender may be made by the chief civil authority thereof, or such chief civil or judicial authority of the districts or counties bordering on the frontier as may for this purpose be duly authorized by the said chief civil authority of the said frontier States or Territories, or if, from any cause, the civil authority of such State or Territory shall be suspended, then such surrender may be made by the chief military officer in command of such State or Territory.

ARTICLE V.

All expenses whatever of detention and delivery effected in virtue of the preceding provisions shall be borne and defrayed by the Government or authority of the frontier State or Territory in whose name the requisition shall have been made.

ARTICLE VI.

The provisions of the present treaty shall not be applied in any manner to any crime or offense of a purely political character, nor shall it embrace the return of fugitive slaves, nor the delivery of criminals who, when the offense was committed, shall have been held in the place where the offense was committed in the condition of slaves, the same being expressly forbidden by the Constitution of Mexico; nor shall the provisions of the present treaty be applied in any manner to the crimes enumerated in the third article committed anterior to the date of the exchange of the ratifications hereof.

Neither of the contracting parties shall be bound to deliver up its own citizens under the stipulations of this treaty.

ARTICLE VII.

This treaty shall continue in force until it shall be abrogated by the contracting parties, or one of them; but it shall not be abrogated except by mutual consent, unless the party desiring to abrogate it shall give twelve months' previous notice.

ARTICLE VIII.

The present treaty shall be ratified in conformity with the Constitutions of the two countries, and the ratifications shall be exchanged at the city of Mexico within six months from the date hereof, or earlier if possible.

In witness whereof we, the Plenipotentiaries of the United States of America and of the United Mexican States, have signed and sealed these presents.

Done in the city of Mexico on the eleventh day of December, in the year of our Lord one thousand eight hundred and sixty-one, the eighty-sixth of the Independence of the United States of America, and the forty-first of that of the United Mexican States.

[SEAL.]
[SEAL.]

THOS. CORWIN.
SEB'N LERDO DE TEJADA.

1868.

CLAIMS CONVENTION.^a

Concluding July 4, 1868; ratification advised by the Senate July 25, 1868; ratified by the President January 25, 1869; ratifications exchanged February 1, 1869; proclaimed February 1, 1869.

ARTICLES.

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| I. Claims. | V. Finality of settlement. |
| II. Commissioners. | VI. Records, etc. |
| III. Time for presenting and decision. | VII. Ratification. |
| IV. Award. | |

Whereas it is desirable to maintain and increase the friendly feelings between the United States and the Mexican Republic, and so to strengthen the system and principles of republican government on the American continent; and whereas since the signature of the treaty of Guadalupe Hidalgo, of the 2d of February, 1848, claims and complaints have been made by citizens of the United States, on account of injuries to their persons and their property by authorities of that republic, and similar claims and complaints have been made on account of injuries to the persons and property of Mexican citizens by authorities of the United States, the President of the United States of America and the President of the Mexican Republic have resolved to conclude a convention for the adjustment of the said claims and complaints, and have named as their Plenipotentiaries, the President of the United States, William H. Seward, Secretary of State; and the President of the Mexican Republic, Matais Romero, accredited as Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic to the United States; who, after having communicated to each other their respective full powers, found in good and due form, have agreed to the following articles:

ARTICLE I.

All claims on the part of corporations, companies, or private individuals, citizens of the United States, upon the Government of the Mexican Republic, arising from injuries to their persons or property by authorities of the Mexican Republic, and all claims on the part of corporations, companies, or private individuals, citizens of the Mexican Republic, upon the Government of the United States, arising from injuries to their persons or property by authorities of the United States, which may have been presented to either Government for its interposition with the other since the signature of the treaty of Guadalupe Hidalgo between the United States and the Mexican Republic of the 2d of February, 1848, and which yet remain unsettled, as well as any other such claims which may be presented within the time hereinafter specified, shall be referred to two commissioners, one to be appointed by the President of the United States, by and with the advice and consent of the Senate, and one by the President of the Mexican Republic. In case of the death, absence, or incapacity of either commissioner, or in the event of either commissioner omitting or ceasing to act as such, the President of the United States or the President of the Mexican Republic, respectively, shall forthwith name another person to act as commissioner in the place or stead of the commissioner originally named.

The commissioners so named shall meet at Washington within six months after the exchange of the ratifications of this convention, and shall, before proceeding to business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to public law, justice, and equity, without fear, favor, or affection to their own country, upon all such claims above specified as shall be laid before them on the part of the Governments of the United States and of the Mexican Republic, respectively; and such declaration shall be entered on the record of their proceedings.

^aFederal cases: *Frelinghuysen v. Key* (110 U. S., 63); *Alling v. U. S.* (114 U. S., 562); *U. S. ex rel. Boynton v. Blaine* (139 U. S., 306); *U. S. ex rel. Key v. Frelinghuysen* (2 Mackey (D. C.), 299).

The commissioners shall then name some third person to act as an umpire in any case or cases on which they may themselves differ in opinion. If they should not be able to agree upon the name of such third person, they shall each name a person, and in each and every case in which the commissioners may differ in opinion as to the decision which they ought to give, it shall be determined by lot which of the two persons so named shall be umpire in that particular case. The person or persons so to be chosen to be umpire shall, before proceeding to act as such in any case, make and subscribe a solemn declaration in a form similar to that which shall already have been made and subscribed by the commissioners, which shall be entered on the record of their proceedings. In the event of the death, absence, or incapacity of such person or persons, or of his or their omitting, or declining, or ceasing to act as such umpire, another and different person shall be named, as aforesaid, to act as such umpire, in the place of the person so originally named, as aforesaid, and shall make and subscribe such declaration as aforesaid.

ARTICLE II.

The commissioners shall then conjointly proceed to the investigation and decision of the claims which shall be presented to their notice, in such order and in such manner as they may conjointly think proper, but upon such evidence or information only as shall be furnished by or on behalf of their respective governments. They shall be bound to receive and peruse all written documents or statements which may be presented to them by or on behalf of their respective governments in support of, or in answer to any claim, and to hear, if required, one person on each side on behalf of each government on each and every separate claim. Should they fail to agree in opinion upon any individual claim, they shall call to their assistance the umpire whom they may have agreed to name, or who may be determined by lot, as the case may be; and such umpire, after having examined the evidence adduced for and against the claim, and after having heard, if required, one person on each side as aforesaid, and consulted with the commissioners, shall decide thereupon finally and without appeal. The decision of the commissioners and of the umpire shall be given upon each claim in writing, shall designate whether any sum which may be allowed shall be payable in gold or in the currency of the United States, and shall be signed by them respectively. It shall be competent for each government to name one person to attend the commissioners as agent on its behalf, to present and support claims on its behalf, and to answer claims made upon it, and to represent it generally in all matters connected with the investigation and decision thereof.

The President of the United States of America and the President of the Mexican Republic hereby solemnly and sincerely engage to consider the decision of the commissioners conjointly, or of the umpire, as the case may be, as absolutely final and conclusive upon each claim decided upon by them or him, respectively, and to give full effect to such decisions without any objection, evasion, or delay whatsoever.

It is agreed that no claim arising out of a transaction of a date prior to the 2d of February, 1848, shall be admissible under this convention.

ARTICLE III.

Every claim shall be presented to the commissioners within eight months from the day of their first meeting, unless in any case where reasons for delay shall be established to the satisfaction of the commissioners, or of the umpire in the event of the commissioners differing in opinion thereupon, and then and in any such case the period for presenting the claim may be extended to any time not exceeding three months longer.

The commissioners shall be bound to examine and decide upon every claim within two years and six months from the day of their first meeting. It shall be competent for the commissioners conjointly, or for the umpire if they differ, to decide in each case whether any claim has or has not been duly made, preferred, and laid before them, either wholly or to any and what extent, according to the true intent and meaning of this convention.

ARTICLE IV.

When decisions shall have been made by the commissioners and the arbiter in every case which shall have been laid before them, the total amount awarded in all the cases decided in favor of the citizens of the one party shall be deducted from the total amount awarded to the citizens of the other party, and the balance, to the amount of three hundred thousand dollars, shall be paid at the city of Mexico or at the city of Washington, in gold or its equivalent, within twelve months from the close of the commission, to the government in favor of whose citizens the greater amount may have been awarded, without interest or any other deduction than that specified in Article VI. of this convention. The residue of the said balance shall be paid in annual instalments to an amount not exceeding three hundred thousand dollars, in gold or its equivalent, in any one year until the whole shall have been paid.

ARTICLE V.

The high contracting parties agree to consider the result of the proceedings of this commission as a full, perfect, and final settlement of every claim upon either government arising out of any transaction of a date prior to the exchange of the ratifications of the present convention; and further engage that every such claim, whether or not the same may have been presented to the notice of, made, preferred, or laid before the said commission, shall, from and after the conclusion of the proceedings of the said commission, be considered and treated as finally settled, barred, and thenceforth inadmissible.

ARTICLE VI.

The commissioners and the umpire shall keep an accurate record and correct minutes of their proceedings, with the dates. For that purpose they shall appoint two secretaries versed in the language of both countries to assist them in the transaction of the business of the commission. Each government shall pay to its commissioner an amount of salary not exceeding forty-five hundred dollars a year in the currency of the United States, which amount shall be the same for both governments. The amount of compensation to be paid to the umpire shall be determined by mutual consent at the close of the commission, but necessary and reasonable advances may be made by each government upon the joint recommendation of the commission. The salary of the secretaries shall not exceed the sum of twenty-five hundred dollars a year in the currency of the United States. The whole expenses of the commission, including contingent expenses shall be defrayed by a ratable deduction on the amount of the sums awarded by the commission, provided always that such deduction shall not exceed five per cent on the sums so awarded. The deficiency, if any, shall be defrayed in moieties by the two governments.

ARTICLE VII.

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by the President of the Mexican Republic, with the approbation of the Congress of that Republic; and the ratifications shall be exchanged at Washington within nine months from the date hereof, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Washington, the fourth day of July, in the year of our Lord one thousand eight hundred and sixty-eight.

[SEAL.]

[SEAL.]

WILLIAM H. SEWARD.

M. ROMERO.

The commission provided for in the foregoing treaty was duly appointed and concluded its work January 31, 1876, rendering awards in favor of citizens of the United States to the amount of \$4,125,622.20 and \$150,498.41 in favor of citizens of Mexico.

1868.***CONVENTION REGULATING CITIZENSHIP OF EMIGRANTS.**

Concluded July 10, 1868; ratification advised by the Senate July 25, 1868; ratified by the President January 27, 1869; ratifications exchanged February 1, 1869; proclaimed February 1, 1869.

ARTICLES.

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|---|----------------------------------|
| I. Treatment of naturalized citizens. | IV. Renunciation of citizenship. |
| II. Offenses committed before emigration. | V. Duration. |
| III. Extradition convention. | VI. Ratification. |

The President of the United States of America and the President of the Republic of Mexico, being desirous of regulating the citizenship of persons who emigrate from Mexico to the United States of America, and from the United States of America to the Republic of Mexico, have decided to treat on this subject, and with this object have named as Plenipotentiaries, the President of the United States, William H. Seward, Secretary of State; and the President of Mexico, Matias Romero, accredited as Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico near the Government of the United States; who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

Those citizens of the United States who have been made citizens of the Mexican Republic by naturalization, and have resided, without interruption, in the Mexican territory five years, shall be held by the United States as citizens of the Mexican Republic, and shall be treated as such. Reciprocally, citizens of the Mexican Republic who have become citizens of the United States and who have resided uninterruptedly in the territory of the United States for five years, shall be held by the Republic of Mexico as citizens of the United States and shall be treated as such. The declaration of an intention to become a citizen of the one or the other country has not for either party the effect of naturalization. This article shall apply as well to those already naturalized in either of the countries contracting as to those hereafter naturalized.

ARTICLE II.

Naturalized citizens of either of the contracting parties, on return to the territory of the other, remain liable to trial and punishment for an action punishable by the laws of his original country, and committed before his emigration; saving always the limitations established by his original country.

ARTICLE III.

The convention for the surrender in certain cases of criminals, fugitives from justice, concluded between the United States of America of the one part, and the Mexican Republic on the other part, on the eleventh day of December, one thousand eight hundred and sixty-one, shall remain in full force without any alteration.

ARTICLE IV.

If a citizen of the United States naturalized in Mexico renews his residence in the United States without the intent to return to Mexico, he shall be held to have renounced his naturalization in Mexico. Reciprocally, if a Mexican naturalized in the United States renews his residence in Mexico without the intent to return to the United States, he shall be held to have renounced his naturalization in the United States.

The intent not to return may be held to exist when the person naturalized in the one country resides in the other country more than two years, but this presumption may be rebutted by evidence to the contrary.

*This convention was terminated February 11, 1882, upon notification given by Mexico. In re Rodriguez (81 Fed. Rep., 337).

ARTICLE V.

The present convention shall go into effect immediately on the exchange of ratifications, and it shall remain in full force for ten years. If neither of the contracting parties shall give notice to the other six months previously of its intention to terminate the same, it shall further remain in force until twelve months after either of the contracting parties shall have given notice to the other of such intention.

ARTICLE VI.

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by the President of the Mexican Republic, with the approval of the Congress of that republic, and the ratifications shall be exchanged in Washington within nine months from the date hereof.

In faith whereof the Plenipotentiaries have signed and sealed this convention at the city of Washington, this tenth day of July, in the year of our Lord one thousand eight hundred and sixty-eight.

[SEAL.]
[SEAL.]

WILLIAM H. SEWARD.
M. ROMERO.

1871.*

CLAIMS CONVENTION.

Concluded April 19, 1871; ratification advised by the Senate December, 11, 1871; ratified by the President December 15, 1871; ratifications exchanged February 8, 1872; proclaimed February 8, 1872.

Whereas a convention was concluded on the 4th day of July, 1868, between the United States of America and the United States of Mexico, for the settlement of outstanding claims that have originated since the signing of the treaty of Guadalupe Hidalgo, on the 2d of February, 1848, by a mixed commission limited to endure for two years and six months from the day of the first meeting of the commissioners; and whereas doubts have arisen as to practicability of the business of the said commission being concluded within the period assigned.

The President of the United States of America and the President of the United States of Mexico are desirous that the time originally fixed for the duration of the said commission should be extended, and to this end have named Plenipotentiaries to agree upon the best mode of effecting this object that is to say: The President of the United States of America, Thomas H. Nelson, accredited as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Mexican Republic; and the President of the United States of Mexico, Manuel Azpiroz, Chief Clerk and in charge of the Ministry of Foreign Relations of the United States of Mexico; who, after having presented their respective powers, and finding them sufficient and in due form, have agreed upon the following articles:

ARTICLE I.

The high contracting parties agree that the term assigned in the convention of the 4th of July, 1868, above referred to, for the duration of the said commission, shall be extended for a time not exceeding one year from the day when the functions of the said commission would terminate according to the convention referred to, or for a shorter time if it should be deemed sufficient by the commissioners, or the umpire in case of their disagreement.

It is agreed that nothing contained in this article shall in anywise alter or extend the time originally fixed in the said convention for the presentation of claims to the mixed commission.

*Extended by convention of 1872.

ARTICLE II.

The present convention shall be ratified, and the ratifications shall be exchanged at Washington, as soon as possible.

In witness whereof the above-mentioned Plenipotentiaries have signed the same and affixed their respective seals.

Done in the city of Mexico the 19th day of April, in the year one thousand eight hundred and seventy one.

[SEAL.]
[SEAL.]

THOMAS H. NELSON.
MANUAL AZPIROZ.

1872.^a

CLAIMS CONVENTION.

Concluded November 27, 1872; ratification advised by the Senate with amendment March 9, 1873; ratified by the President March 10, 1873; ratifications exchanged July 17, 1873; proclaimed July 24, 1873.

Whereas, by the convention concluded between the United States and the Mexican Republic on the fourth day of July, 1868, certain claims of citizens of the contracting parties were submitted to a joint commission, whose functions were to terminate within two years and six months, reckoning from the day of the first meeting of the commissioners; and

Whereas the functions of the aforesaid joint commission were extended, according to the convention concluded between the same parties on the nineteenth day of April, 1871, for a term not exceeding one year from the day on which they were to terminate according to the first convention; and whereas the possibility of said commission's concluding its labors even within the period fixed by the aforesaid convention of April nineteenth, 1871, is doubtful;

Therefore, the President of the United States of America and the President of the United States of Mexico, desiring that the term of the aforementioned commission should be again extended, in order to attain this end, have appointed, the President of the United States Hamilton Fish, Secretary of State, and the President of the United States of Mexico Ignacio Mariscal, accredited to the Government of the United States as Envoy Extraordinary and Minister Plenipotentiary of said United States of Mexico, who, having exchanged their respective powers, which were found sufficient and in due form, have agreed upon the following articles:

ARTICLE I.

The high contracting parties agree that the said commission be revived and that the time fixed by the convention of April nineteenth, 1871, for the duration of the commission aforesaid, shall be extended for a term not exceeding two years from the day on which the functions of the said commission would terminate according to that convention, or for a shorter time if it should be deemed sufficient by the commissioners or the umpire, in case of their disagreement.

It is agreed that nothing contained in this article shall in any wise alter or extend the time originally fixed in the said convention for the presentation of claims to the commission.

ARTICLE II.

The present convention shall be ratified and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the above named Plenipotentiaries have signed the same and affixed their respective seals.

Done in the city of Washington the twenty-seventh day of November, in the year one thousand eight hundred and seventy-two.

[SEAL.]
[SEAL.]

HAMILTON FISH.
IGNO. MARISCAL.

^aSee convention of 1874.

1873.

EXTENSION PROTOCOL.

Concluded January 31, 1873.

PROTOCOL.

Whereas the Convention between the United States and the Mexican Republic of the 19th of April, 1871, stipulates that the Commission to which it relates shall be extended for a term not exceeding one year from the day when the functions of the said Commission would terminate pursuant to the Convention of the 4th of July, 1868, which year will expire on the last day of this month; and Whereas a Convention for the still further prolongation of that Commission has been signed, but, owing to unavoidable circumstances, has not seasonably been ratified by the parties;

Now, therefore, be it known, that the Undersigned, Hamilton Fish, Secretary of State of the United States, and Ignacio Mariscal, Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, upon due consultation one with the other, have deemed it advisable, under the circumstances for the interests of the parties to the said Convention, that the apartments heretofore occupied by the said Commission shall, with the papers and books relating to the business continue in the custody of the respective Secretaries thereof, until the pleasure of both Governments in regard to the further prosecution of the business of the Commission shall be definitely known.

It is further understood that all the expenses which may attend this continued occupation, including the rent of the apartments, fuel, messengers and other incidental charges, shall be borne and defrayed equally, one half by the United States and one half by the Mexican Government.

HAMILTON FISH.
IGNO. MARISCAL.

WASHINGTON, *January 31, 1873.*

1874.

CONVENTION FOR THE FURTHER EXTENSION OF DURATION OF THE JOINT COMMISSION FOR THE SETTLEMENT OF CLAIMS.

Concluded November 20, 1874; ratification advised by the Senate January 20, 1875; ratified by the President January 22, 1875; ratifications exchanged January 28, 1875; proclaimed January 28, 1875.

ARTICLES.

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|-------------------------------------|--|
| I. Duration extended. | III. Cases decided by commission; award. |
| II. Umpire allowed additional time. | IV. Ratification. |

Whereas, pursuant to the convention between the United States and the Mexican Republic of the 19th day of April, 1871, the functions of the joint commission under the convention between the same parties of the 4th of July, 1868, were extended for a term not exceeding one year from the day on which they were to terminate according to the convention last named:

And whereas, pursuant to the first article of the convention between the same parties, of the twenty-seventh day of November, one thousand eight hundred and seventy-two, the joint commission above referred to was revived and again extended for a term not exceeding two years from the day on which the functions of the said commission would terminate pursuant to the said convention of the nineteenth day of April, 1871; but whereas the said extensions have not proved sufficient for the disposal of the business before the said commission, the said parties being equally animated by a desire that all that business should be closed as originally contemplated, the President of the United States has for this purpose conferred full powers on Hamilton Fish, Secretary of State, and the President of the Mexican Republic has con-

ferred like powers on Don Ignacio Mariscal, Envoy Extraordinary and Minister Plenipotentiary of that republic to the United States. And the said Plenipotentiaries, having exchanged their full powers, which were found to be in due form, have agreed upon the following articles.

ARTICLE I.

The high contracting parties agree that the said commission shall again be extended, and that the time now fixed for its duration shall be prolonged for one year from the time when it would have expired pursuant to the convention of the twenty-seventh of November, 1872; that is to say until the thirty-first day of January in the year one thousand eight hundred and seventy-six.

It is, however, agreed that nothing contained in this article shall in any wise alter or extend the time originally fixed by the convention of the 4th of July, 1868, aforesaid, for the presentation of claims to the commission.

ARTICLE II.

It is further agreed that, if at the expiration of the time when, pursuant to the first article of this convention, the functions of the commissioners will terminate, the umpire under the convention should not have decided all the cases which may then have been referred to him, he shall be allowed a further period of not more than six months for that purpose.

ARTICLE III.

All cases which have been decided by the commissioners or by the umpire heretofore, or which shall be decided prior to the exchange of the ratifications of this convention, shall, from the date of such exchange be regarded as definitely disposed of, and shall be considered and treated as finally settled, barred, and thenceforth inadmissible. And, pursuant to the stipulation contained in the fourth article of the convention of the fourth day of July, one thousand eight hundred and sixty-eight, the total amount awarded in cases already decided and which may be decided before the exchange of ratifications of this convention and in all cases which shall be decided within the times in this convention respectively named, for that purpose, either by the commissioners or by the umpire, in favor of citizens of the one party shall be deducted from the total amount awarded to the citizens of the other party, and the balance, to the amount of three hundred thousand dollars shall be paid at the city of Mexico, or at the city of Washington, in gold or its equivalent, within twelve months from the 31st day of January, one thousand eight hundred and seventy-six to the government in favor of whose citizens the greater amount may have been awarded, without interest or any other deduction than that specified in article VI of that convention. The residue of the said balance shall be paid in annual installments to an amount not exceeding three hundred thousand dollars in gold or its equivalent, in any one year until the whole shall have been paid.

ARTICLE IV.

The present convention shall be ratified and the ratifications shall be exchanged at Washington, as soon as possible.

In witness whereof the above named Plenipotentiaries have signed the same and affixed thereto their respective seals.

Done in Washington the twentieth day of November, in the year one thousand eight hundred and seventy-four.

[SEAL.]
[SEAL.]

HAMILTON FISH.
IGNO. MARISCAL.

1876.**CONVENTION EXTENDED FUNCTIONS OF THE UMPIRE OF THE JOINT COMMISSION
FOR THE SETTLEMENT OF CLAIMS UNTIL NOVEMBER 20, 1876.**

*Concluded April 29, 1876; ratification advised by the Senate May 24, 1876;
ratified by the President June 27, 1876; ratifications exchanged June 29,
1876; proclaimed June 29, 1876.*

ARTICLES.

I. Umpire continued.
II. Awards; payment.

III. Ratification.

Whereas, pursuant to the Convention between the United States and the Mexican Republic of the 19th day of April, 1871, the functions of the joint commission under the Convention between the same parties of the 4th of July, 1868, were extended for a term not exceeding one year from the day on which they were to terminate according to the convention last named;

And whereas, pursuant to the first Article of the convention between the same parties, of the twenty-seventh day of November, one thousand eight hundred and seventy-two, the joint Commission above referred to was revived and again extended for a term not exceeding two years from the day on which the functions of the said commission would terminate pursuant to the said Convention of the nineteenth day of April, 1871;

And whereas pursuant to the Convention between the same parties, of the twentieth day of November one thousand eight hundred and seventy-four, the said commission was again extended for one year from the time when it would have expired pursuant to the Convention of the twenty-seventh of November, one thousand eight hundred and seventy-two, that is to say, until the thirty-first day of January one thousand eight hundred and seventy-six; and it was provided that if at the expiration of that time, the Umpire under the Convention should not have decided all the cases which may then have been referred to him, he should be allowed a further period of not more than six months for that purpose;

And whereas, it is found to be impracticable for the Umpire appointed pursuant to the Convention adverted to, to decide all the cases referred to him, within the said period of six months prescribed by the Convention of the twentieth of November one thousand eight hundred and seventy-four;

And the parties being still animated by a desire that all that business should be closed as originally contemplated, the President of the United States has for this purpose conferred full powers on Hamilton Fish, Secretary of State, and the President of the Mexican Republic has conferred like powers on Don Ignacio Mariscal, Envoy Extraordinary and Minister Plenipotentiary of that Republic to the United States; and the said Plenipotentiaries having exchanged their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I.

The high contracting parties agree that if the Umpire appointed under the Convention above referred to, shall not, on or before the expiration of the six months allowed for the purpose by the second article of the Convention of the twentieth of November one thousand eight hundred and seventy-four, have decided all the cases referred to him, he shall then be allowed a further period until the twentieth day of November one thousand eight hundred and seventy-six, for that purpose.

ARTICLE II.

It is further agreed that so soon after the twentieth day of November one thousand eight hundred and seventy-six, as may be practicable, the total amount awarded in all cases already decided, whether by the Commissioners or by the Umpire, and which may be decided before the said twentieth day of November, in favor of citizens of the one party shall be deducted from the

total amount awarded to the citizens of the other party, and the balance, to the amount of three hundred thousand dollars, shall be paid at the city of Mexico, or at the city of Washington, in gold or its equivalent, on or before the thirty-first day of January one thousand eight hundred and seventy-seven, to the government in favor of whose citizens the greater amount may have been awarded, without interest or any other deduction than that specified in Article VI of the said Convention of July, 1868. The residue of the said balance shall be paid in annual installments on the thirty-first of January in each year, to an amount not exceeding three hundred thousand dollars, in gold or its equivalent, in any one year, until the whole shall have been paid.

ARTICLE III.

The present Convention shall be ratified and the ratifications shall be exchanged at Washington, as soon as possible.

In witness whereof the above named Plenipotentiaries have signed the same and affixed thereto their respective seals.

Done in Washington, the twenty-ninth day of April, in the year one thousand eight hundred and seventy-six.

[SEAL.]

HAMILTON FISH.

[SEAL.]

IGNO. MARISCAL.

1876.

PROTOCOL CONCERNING COMPENSATION OF UMPIRE UNDER TREATY OF 1868.

Concluded December 14, 1876.

PROTOCOL.

Whereas the Convention for the adjustment of claims provided for by the Convention between the United States and the Mexican Republic of the 4th of July, 1868, stipulates in its Sixth Article that the compensation to be paid to the Umpire shall be determined by mutual consent at the close of the Commission:

And whereas the said Commission, though continued from time to time by subsequent Conventions, has concluded its functions and come to a close:

And whereas the same Article stipulates that the whole expenses of the Commission, including contingent expenses, shall be defrayed by a ratable deduction on the amount of the sums awarded by that Commission, provided always that such deduction shall not exceed five per cent on the sums so awarded, the deficiency, if any, to be defrayed in moieties by the two governments:

Now, Therefore, the Undersigned, Hamilton Fish, Secretary of State, and Don Ignacio Mariscal, accredited to the government of the United States as Envoy Extraordinary and Minister Plenipotentiary of the Mexican Republic, have this day met for a consideration of these subjects, and have determined that the compensation of the Umpire aforesaid shall be at the rate of six thousand dollars a year. Consequently, deducting the advances made by each Government to Doctor Leiber during the time of his service as Umpire, there remains the sum of eighteen thousand five hundred and fifty dollars for compensation of the Umpire, one half payable by each Government.

The advances and payments made to Doctor Leiber were six thousand one hundred and thirty-nine dollars and seventy-two cents, paid by each Government, in all twelve thousand two hundred and seventy-nine dollars and forty-five cents.

The expenses of the Commission contemplated in Article VI of the Convention including the contingent expenses, have amounted to one hundred and seventy-eight thousand seven hundred and thirty-eight dollars and forty-six cents, equal to four per cent—and seventeen thousand nine hundred and

ninety-two one hundred thousandths of one per cent on the total amount of awards on both sides. The Undersigned have also caused the account hereunto annexed to be stated, and have approved the same under their respective hands.

HAMILTON FISH
Secy. of State.

WASHINGTON 14th December, 1876.

IGNO. MARISCAL

1882.^a

BOUNDARY CONVENTION.

Concluded July 29, 1882; ratification advised by the Senate August 8, 1882; ratified by the President January 29, 1883; ratifications exchanged March 3, 1883; proclaimed March 5, 1883.

ARTICLES.

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|---|--|
| I. Preliminary reconnaissance. | V. Reports of commission. |
| II. International Boundary Commission authorized. | VI. Expenses. |
| III. Powers of commission. | VII. Payment for monuments. |
| IV. Boundary monuments. | VIII. Duration of commission. |
| | IX. Protection of monuments; ratification. |

The President of the United States of America on the one hand and the President of the United States of Mexico on the other, being desirous of putting an end to whatever difficulties arise from the destruction or displacement of some of the monuments erected for the purpose of marking the boundary between the two countries, have thought proper to conclude a convention with the object of defining the manner in which the said monuments are to be restored to their proper places and new ones erected, if necessary; to which end they have appointed as their Plenipotentiaries, to wit:

The President of the United States of America, Frederick T. Frelinghuysen, Esquire, Secretary of State of the United States of America; and the President of the United States of Mexico, Señor Don Matis Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico, in Washington;

Who, after reciprocal exhibition of their full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

With the object of ascertaining the present condition of the monuments marking the boundary line between the United States of America and the United States of Mexico, established by the treaties of February 2nd, 1848, and December 3rd, 1853, and for determining generally what monuments, if any, have been destroyed or removed and may require to be rebuilt or replaced, a preliminary reconnaissance of the frontier line shall be made by each government, within six months from the exchange of ratifications of this convention. These reconnaissances shall be made by parties under the control of officers of the regular army of the respective countries, and shall be effected in concert, in such manner as shall be agreed upon by the commanders of the respective parties. The expense of each reconnoitering party shall be borne by the government in whose behalf it operates.

These reconnaissance parties shall report to their respective governments, within eight months from the exchange of the ratifications of this convention:

- (a) the condition of the present boundary monuments;
- (b) the number of destroyed or displaced monuments;
- (c) the places, settled or capable of eventual settlement, where it may be advisable to set the monuments closer together along the line than at present;
- (d) the character of the new monuments required, whether of stone or iron; and their number, approximately, in each case.

^aWith the exception of Article IX this treaty has been fully executed.

^bShould be December 30th, 1853.

ARTICLE II.

Pending the conclusion of the preliminary reconnaissances provided in Article I, each government shall appoint a surveying party, consisting of an Engineer-in-chief, two Associates, one of whom shall be a practical astronomer, and such number of assistant engineers and associates as it may deem proper. The two parties so appointed shall meet at El Paso del Norte, or at any other convenient place to be agreed upon, within six months from the exchange of the ratifications hereof, and shall form, when combined, an "International Boundary Commission."

ARTICLE III.

The International Boundary Commission shall be required and have the power and authority to set in their proper places along the boundary line between the United States and Mexico, from the Pacific Ocean to the Rio Grande, the monuments heretofore placed there under existing treaties, whenever such monuments shall have become displaced; to erect new monuments on the site of former monuments when these shall have been destroyed; and to set new monuments at such points as may be necessary; and be chosen by joint accord between the two Commissioner Engineers-in-Chief. In rebuilding and replacing the old monuments and in providing for new ones, the respective reports of the reconnaissance parties, provided by Article I, may be consulted; provided, however, that the distance between two consecutive monuments shall never exceed eight thousand meters, and that this limit may be reduced on those parts of the line which are inhabited or capable of habitation.

ARTICLE IV.

Where stone shall be found in sufficient abundance the monuments may be of stone; and in other localities shall be of iron, in the form of a simple tapering four-sided shaft with pediment rising above the ground to a height of six feet, and bearing suitable inscriptions on its sides. These monuments shall be at least two centimeters in thickness, and weigh not less than five hundred pounds each.

The approximate number thereof to be required may be determined from the reports of the preliminary reconnaissance parties, and the monuments, properly cast and finished, may be sent forward from time to time to such spots as the commission may select, to be set in place at the sites determined upon as the work progresses.

ARTICLE V.

The Engineers-in-Chief of both sections shall determine, by common consent, what scientific processes are to be adopted for the resetting of the old monuments and the erection of the new ones; and they shall be responsible for the proper performance of the work.

On commencing operations, each section shall report to its government the plan of operations upon which they shall have jointly agreed; and they shall from time to time submit reports of the progress made by them in the said operations; and finally they shall present a full report, accompanied by the necessary drawings, signed by the Engineer-in-Chief and the two Associate Engineers on each side, as the official record of the International Boundary Commission.

ARTICLE VI.

The expenses of each section shall be defrayed by the government which appointed it; but the cost of the monuments and of their transportation shall be equally shared by both governments.

ARTICLE VII.

Whenever the number of the monuments to be set up shall be approximately known as the result of the labors of the preliminary reconnaissance parties, the Engineers-in-Chief shall prepare an estimate of their cost, conveyance and setting up; and when such estimate shall have been approved by

both governments, the mode of making the payment of the part to be paid by Mexico shall be determined by a special arrangement between the two governments.

ARTICLE VIII.

The work of the International Boundary Commission shall be pushed forward with all expedition; and the two governments hereby agree to regard the present convention as continuing in force until the conclusion of said work, provided that such time does not exceed four years and four months from the date of the exchange of the ratifications hereof.

ARTICLE IX.

The destruction or displacement of any of the monuments described herein, after the line shall have been located by the International Boundary Commission as aforesaid, is hereby declared to be a misdemeanor, punishable according to the justice of the country of the offender's nationality, if he be a citizen of either the United States or Mexico; and if the offender be of other nationality, then the misdemeanor shall be punishable according to the justice of either country where he may be apprehended.

This convention shall be ratified on both sides and the ratifications exchanged at Washington as soon as possible.

In testimony whereof we have signed this convention in duplicate, in the English and Spanish languages, and affixed hereunto the seals of our arms.

Done in the City of Washington this 29th day of July, in the year of our Lord one thousand eight hundred and eighty-two.

[SEAL.]
[SEAL.]

FRED'K T. FRELINGHUYSEN.
M. ROMERO.

1882.

PROTOCOL OF AN AGREEMENT CONCERNING PURSUIT OF INDIANS ACROSS THE BORDER.

Signed July 29, 1882.

Memorandum of an agreement entered into, in behalf of their respective Governments, by Frederick T. Frelinghuysen, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico, providing for the reciprocal crossing of the international boundary line by the troops of the respective Governments in pursuit of savage Indians, under the conditions hereinafter stated.

ARTICLE I.

It is agreed that the regular Federal troops of the two Republics may reciprocally cross the boundary line of the two countries, when they are in close pursuit of a band of savage Indians, upon the conditions stated in the following articles:

ARTICLE II.

The reciprocal crossing agreed upon in article I. shall only occur in the unpopulated or desert parts of said boundary line. For the purposes of this agreement the unpopulated or desert places are defined to be all those points which are at least two leagues distant from any encampment or town of either country.

ARTICLE III.

No crossing of troops of either country shall take place from Capitan Leal, a town on the Mexican side of the Rio Bravo, twenty Mexican leagues (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

ARTICLE IV.

The commander of the troops which cross the frontier in pursuit of Indians, shall, at the time of crossing or before if possible, give notice of his march to the nearest military commander or civil authority of the country whose territory he enters.

ARTICLE V.

The pursuing force shall retire to its own territory as soon as it shall have fought the band of which it is in pursuit or have lost its trail. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory for any time longer than is necessary to make the pursuit of the band whose trail they follow.

ARTICLE VI.

The abuses which may be committed by the forces which cross into the territory of the other nation shall be punished by the Government to which the forces belong, according to the gravity of the offense and in conformity to its laws, as if the abuses had been committed in its own territory, the said government being further under obligation to withdraw the guilty parties from the frontier.

ARTICLE VII.

In the case of offenses which may be committed by the inhabitants of the one country against the foreign forces which may be within its limits, the government of said country shall only be responsible to the government of the other for denial of justice in the punishment of the guilty.

ARTICLE VIII.

This agreement shall remain in force for two years, and may be terminated by either government upon four months' notice to the other, to that effect.

ARTICLE IX.

As the Senate of the United States of Mexico has authorized the President of that republic, in accordance with paragraph III., Letter B, section III, of article 72d of its constitution, as modified on the 6th of November, 1874, to allow the passing of Mexican troops into the United States and of United States into Mexico, and the constitution of the United States empowers the President of the United States to allow the passage without the consent of the Senate, this agreement does not require the sanction of the Senate of either country, and will begin to take effect twenty days after this date.

In testimony of which we have interchangeably signed this memorandum this 29th day of July, 1882.

[SEAL.]
[SEAL.]

FRED'K T. FRELINGHUYSEN.
M. ROMERO.

1882.^a

PROTOCOL OF AN AGREEMENT MODIFYING AGREEMENT SIGNED JULY 29, 1882,
CONCERNING PURSUIT OF INDIANS ACROSS THE BOUNDARY LINE.

Signed and Exchanged September 21, 1882.

Protocol of an agreement entered into in behalf of their respective Governments, by Frederick T. Frelinghuysen, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico, modifying article VIII, of the agreement signed in Washington, on the 29th of July, 1882, providing for the reciprocal crossing, in the unpopulated or desert parts of the international boundary line, by the regular federal troops of the respective Governments, in pursuit of savage hostile Indians.

ONLY ARTICLE.

Article VIII. of the agreement signed in the city of Washington by the representatives of the United States of America and the United States of Mexico on the 29th of July, 1882, providing for the reciprocal crossing, in the unpopulated or desert parts of the international boundary line, by the regular federal troops of the respective Governments, in pursuit of savage hostile Indians, under the conditions stated in said agreement, is hereby modified in the following terms:

“Article VIII.—This agreement shall remain in force for a year from the 18th of August, 1882, and may be terminated by either Government, at any time upon four months’ notice to the other to that effect.”

In testimony of which we have interchangeably signed this protocol this 21st day of September, 1882.

FREDK. T. FRELINGHUYSEN. [SEAL.]
M. ROMERO. [SEAL.]

1883.^a

COMMERCIAL RECIPROCITY CONVENTION.

Concluded January 20, 1883; ratification advised by the Senate with amendments March 11, 1884; ratified by the President May 20, 1884; ratifications exchanged May 20, 1884; proclaimed June 2, 1884.

ARTICLES.

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| I. Schedule to be admitted to United States. | V. Import duties; other nations. |
| II. Schedule to be admitted to Mexico. | VI. Transit duties. |
| III. Regulations for prevention of fraud by Mexico. | VII. Transit duties. |
| IV. Regulations for prevention of fraud by United States. | VIII. Laws to carry convention into effect. |
| | IX. Duration. |
| | X. Ratification. |

The United States of America and the United States of Mexico, equally animated by the desire to strengthen and perpetuate the friendly relations, happily existing between them, and to establish such commercial intercourse between them as shall encourage and develop trade and good will between their respective citizens, have resolved to enter into a commercial convention. For this purpose the President of the United States of America has conferred full powers on Ulysses S. Grant and William H. Trescott, citizens of the United States of America, and the President of the United States of Mexico has conferred like powers on Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of Mexico at Washington, and on Astanislao Cañedo, citizens of the United States of Mexico;

And said Plenipotentiaries, after having exchanged their respective full powers, which were found to be in due form, have agreed to the following articles:

ARTICLE I.

For and in consideration of the rights granted by the United States of Mexico to the United States of America in article second of this convention, and as an equivalent therefor, the United States of America hereby agree to admit, free of import duties whether Federal or local, all the articles named in the following schedule, into all the ports of the United States of America, and into such places on their frontier with Mexico, as may be established now or hereafter as ports of entry by the United States of America, provided that the same be the growth and manufacture or produce of the United States of Mexico.

^aThe Congress of the United States did not pass the legislation to carry this convention into effect and it ceased to be operative May 20, 1887.

SCHEDULE OF MEXICAN ARTICLES TO BE ADMITTED FREE OF DUTY INTO THE UNITED STATES OF AMERICA.

- (2) 1. Animals, alive, specially imported for breeding purposes.
- (9) 2. Barley, not pearl.
- (8) 3. Beef.
- (6) 4. Coffee.
- (17) 5. Eggs.
- (13) 6. Esparto and other grasses, and pulp of, for the manufacture of paper.
- (14) 7. Flowers, natural of all kinds.
- (15) 8. Fruits. All kinds of fresh fruits, such as oranges, lemons, pine-apples, limes, bananas, plantains, mangoes, etc.
- (26) 9. Goat skins, raw.
- (16) 10. Henequen, sisal, hemp, and other like substitutes for hemp.
- (10) 11. Hide-ropes.
- (11, 27) 12. Hides, raw or uncured, whether dry, salted, or pickled, and skins, except sheepskins with the wool on, Angora goat skins, raw, without the wool, and asses' skins.
- (18) 13. India-rubber, crude and milk of.
- (3, 19) 14. Indigo.
- (20) 15. Ixtle or Tampico fibre.
- (21) 16. Jalap.
- (12) 17. Leather, old scrap.
- (24) 18. Logwood, berries, [*] nuts, archil, and vegetables for dyeing or used for composing dyes.
- (23) 19. Molasses.
- (1) 20. Palm or cocoanut oil.
- (4) 21. Quicksilver.
- (30) 22. Sarsaparilla, crude.
- (7) 23. Shrimps and all other shell fish.
- (25) 24. Straw, unmanufactured.
- (5) 25. Sugar, not above number 16, Dutch standard in color.
- (28) 26. Tobacco in leaf, unmanufactured.
- (29) 27. Vegetables, fresh of all kinds.
- (22) 28. Wood and timber of all kinds, unmanufactured, including ship timber.

ARTICLE II.

For and in consideration of the rights granted by the United States of America in the preceding article of this convention, and as an equivalent therefor, the United States of Mexico hereby agree to admit free of duties whether Federal or local, all the articles named in the following schedule, the same being the growth, manufacture, or produce of the United States of America, into all the ports of the United States of Mexico and into such places on their frontier with the United States of America as may be established now or hereafter as ports of entry by the United States of Mexico.

SCHEDULE OF UNITED STATES ARTICLES TO BE ADMITTED FREE OF DUTY INTO MEXICO.

- (1) 1. Accordions and harmonicas.
- (74) 2. Anvils.
- (8) 3. Asbestos for roofs.
- (12) 4. Bars of steel for mines, round or octagonal.
- (22) 5. Barrows and hand trucks with one or two wheels.
- (36) 6. Bricks, refractory and all kinds of bricks.
- (38) 7. Books, printed, unbound or bound in whole or in the greater part with paper or cloth.
- (73) 8. Beams, small, and rafters of iron for roofs, provided that they cannot be made use of for other objects in which iron is employed.

- (19) 9. Coal of all kinds.
 - (21) 10. Cars and carts with springs.
 - (23) 11. Coaches and cars for railways.
 - (24) 12. Crucibles and melting pots of all materials and sizes.
 - (25) 13. Cane-knives.
 - (63) 14. Clocks, mantel or wall.
 - (26) 15. Diligences and road carriages of all kinds and dimensions.
 - (27) 16. Dynamite.
 - (14) 17. Fire pumps, engines, and ordinary pumps for irrigation and other purposes.
 - (4) 18. Faucets.
 - (47) 19. Fuse and wick for mines.
 - (53) 20. Feed, dry, and straw.
 - (29) 21. Fruits, fresh.
 - (37) 22. Fire-wood.
 - (54) 23. Fish, fresh.
 - (30) 24. Guano.
 - (6) 25. Hose, mattocks, and their handles.
 - (16) 26. Houses of wood or iron, complete.
 - (17) 27. Hoes, common agricultural knives without their sheaths, scythes, sickles, harrows, rakes, shovels, pick-axes, spades and mattocks for agriculture.
 - (66) 28. Henequen bags, on condition that they be used for subsequent exportation with Mexican products.
 - (31) 29. Ice.
 - (32) 30. Iron and steel made into rails for railways.
 - (34) 31. Instruments, scientific.
 - (68) 32. Ink, printing.
 - (72) 33. Iron beams.
 - (15) 34. Lime, hydraulic.
 - (39) 35. Locomotives.
 - (56) 36. Lithographic stones.
 - (7, 46) 37. Masts and anchors, for vessels large or small.
 - (41) 38. Marble in blocks.
 - (42) 39. Marble in flags for pavements not exceeding forty centimeters in square and polished only on one side.
 - (45) 40. Machines and apparatus of all kinds for industrial, agricultural and mining purposes, sciences and arts, and any separate extra parts and pieces pertaining thereto.
- The extra or separate parts of machinery and the apparatus that may come united or separately with the machinery are included in this provision, comprehending in this the bands of leather or rubber that serve to communicate movement, but only when imported at the same time with the machinery to which they are adapted.
- (48) 41. Metals, precious, in bullion or in powder.
 - (50) 42. Money, legal of silver or gold, of the United States.
 - (49) 43. Moulds and patterns for the arts.
 - (51) 44. Naptha.
 - (9) 45. Oats in grain or straw.
 - (64) 46. Oars for small vessels.
 - (5) 47. Plows and plowshares.
 - (52) 48. Paper, tarred for roofs.
 - (57) 49. Plants and seeds of any kind, not growing in the country, for cultivation.
 - (58) 50. Pens of any metal not silver or gold.
 - (59) 51. Petroleum, crude.
 - (60) 52. Petroleum or coal oil and its products for illuminating purposes.
 - (62) 53. Powder, common, for mines.
 - (10) 54. Quicksilver.
 - (70) 55. Rags or cloth for the manufacture of paper.
 - (67) 56. Roof tiles of clay or other material.

- (11) 57. Sulphur.
- (13) 58. Stoves of iron for cooking and other purposes.
- (28) 59. Staves and headings for barrels.
- (33) 60. Soda, hyposulphite of.
- (43) 61. Steam engines.
- (44) 62. Sewing machines.
- (61) 63. Slates for roofs and pavements.
- (65) 64. Sausages, large or small.
- (20) 65. Teasels of wire, mounted on bands for machinery, or vegetable teasels.
- (35) 66. Tools and instruments of steel,^a iron, brass, or wood, or composed of these materials, for artisans.
- (69) 67. Types, coats of arms, spaces, rules, vignettes, and accessories for printing of all kinds.
- (71) 68. Vegetables, fresh.
- (2) 69. Wire, telegraph, the destination of which will be proven at the respective custom houses by the parties interested.
- (3) 70. Wire of iron or steel for carding, from No. 26 and upwards.
- (4) 71. Wire, barbed, for fences and the hooks and nails to fasten the same.
- (18) 72. Water pipes of all classes, materials and dimensions, not considering as comprehended among them tubes of copper or other metal that do not come closed or soldered with seam or with riveting in all their length.
- (55) 73. Window blinds, painted or not painted.

ARTICLE III.

The Government of the United States of Mexico, shall have the power to issue such laws, rules, regulations, instructions and orders, as it may deem proper to protect its revenues and prevent fraud in order to prove that the merchandise included in the above schedule annexed to article second of this convention, are produced or manufactured in the United States of America, and therefore are entitled to importation free of duty, into the Mexican ports or such places on the frontier between Mexico and the United States of America, as are previously established as ports of entry by the Government of Mexico.

The Government of the United States of Mexico shall have moreover the power to amend, modify, or amplify the laws and regulations issued in exercising the power conferred by this article, whenever it deems proper to do so in order to protect its revenues and prevent fraud.

ARTICLE IV.

The Government of the United States of America shall have the power to issue such laws, rules, regulations, instructions and orders as it may deem proper to protect its revenues and prevent fraud, in order to prove that the merchandise included in the above schedule attached to the first article of this convention are produced or manufactured in the United States of Mexico, and therefore are entitled to importation, free of duty, into the ports of the United States of America or such places on the frontier between the United States of America and the United States of Mexico as are previously established as ports of entry by the Government of the United States of America.

The Government of the United States of America shall have moreover the power to amend, modify or amplify the laws and regulations issued in exercising the power conferred by this article, whenever it may deem proper to do so in order to protect its revenues and prevent fraud.

ARTICLE V.

The stipulations contained in the first and second articles of this convention will not prevent either of the contracting parties from making such

^aSee protocol of January 20, 1883.

changes in their import duties as their respective interests may require, granting to other nations the same liberty of rights in regard to one or more of the articles of merchandise named in the schedule annexed to the first and second articles, either by legislation or by means of treaties with other Governments. But in case such changes are made, the party affected by the same may denounce this convention even before the term specified in Article IX., and the present convention will be terminated at the end of six months, from the day on which such notification may be made by the respective country.

ARTICLE VI.

It is further agreed by the contracting parties that neither of them shall charge any duty for the transit of the above said articles of merchandise through its own territory, provided that they are intended to be consumed in the same territory.

ARTICLE VII.

Notwithstanding, either of the contracting parties may impose duties of transit upon any kind of merchandise, passing through its territory and destined to be consumed in the territory of another country.

ARTICLE VIII.^a

The present convention shall take effect as soon as it has been approved and ratified by both contracting parties, according to their respective constitutions; but not until the laws and regulations that each shall deem necessary to carry it into operation, shall have been passed both by the Government of the United States of America and by the Government of the United Mexican States, which shall take place within twelve months from the date of the exchange of ratifications to which Article X. refers.

ARTICLE IX.

Upon the present convention taking effect, it shall remain in force for six years from the date in which it may come into operation, according to the foregoing article, and shall remain in force until either of the contracting parties shall give notice to the other of its wish to terminate the same, and until the expiration of twelve months from the date of said notification. Each of the contracting parties is at liberty to give such notice to the other at the end of said term of six years, or any time thereafter, or before as provided in Article V. of this convention.

ARTICLE X.

The ratifications of the present convention shall be duly exchanged at the city of Washington within twelve months from the date hereof, or earlier if possible.

In faith whereof the respective plenipotentiaries of the high contracting parties have signed the present convention and have affixed thereto their respective seals.

Done in duplicate at the city of Washington this twentieth day of January A. D. one thousand eight hundred and eighty-three.

U. S. GRANT.	[SEAL.]
WM. HENRY TRESCOT.	[SEAL.]
M. ROMERO.	[SEAL.]
E. CAÑEDO.	[SEAL.]

PROTOCOL [1.]

WASHINGTON, *Saturday, January 20, 1883.*

The Commissioners met, and upon further discussion the United States Commissioners consented to accept Article V. as submitted by the Mexican Commissioners.

^aSee Amendment. Protocol May 20, 1884.

^bSixteen. See protocol May 20, 1884.

The remaining articles of the treaty were considered and, the treaty signed, with the following agreement:

Whereas the Mexican Commissioners state that although in their instructions the word steel (*acero*) is omitted from the item No. (35) 66 of the list of merchandise of the United States to be admitted into Mexico, free of duty, appended to article 2 of the said treaty, which reads as follows: "Tools and instruments of iron, brass, or wood, or composed of these articles, for artisans," they doubt whether this omission is intentional or casual, and have consulted about it by the cable with their Government; and

Whereas the United States Commissioners assert that if tools wholly or partly of steel for the use of artisans be excluded from the benefits of the treaty, the item in question is practically of no value as a concession to the United States.

Therefore, the Commissioners hereby agree that the treaty is signed by them subject to the correction in the aforesaid item of the word "steel," so that "tools of iron, steel, brass, or wood," &c., shall be specified, if it shall be found that the omission was unintentional on the part of Mexico; and further, that if the omission be found to have been intentional the right shall be, and hereby is, reserved to the President of the United States of America to withhold the said treaty from the Senate, and to regard the same as not representing a true agreement between the respective Commissioners.

[U. S. GRANT.]
[WM. HENRY TRESCOT.]
[M. ROMERO.]
[M. CAÑEDO.]

[PROTOCOL 2.]

Agreement signed the 17th day of January, 1884, between Frederick T. Frelinghuysen, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico.

Whereas, pursuant to the tenth article of the Treaty between the United States of America and the United States of Mexico of the 20th of January, 1883, it was stipulated that the ratifications of that Treaty should be exchanged at the City of Washington within twelve months from the date thereof or earlier, if possible;

And whereas, it may be impossible to exchange the ratifications within the time so fixed, the President of the United States of America has invested Frederick T. Frelinghuysen, Secretary of State of the United States of America with full power; and the President of the United States of Mexico has invested Matias Romero, Envoy Extraordinary and Minister Plenipotentiary, at Washington, with like power, who having met and examined their respective powers, which were found to be in proper form, have agreed upon the following:

ADDITIONAL ARTICLE.

It is agreed that the time limited in the tenth article of the Treaty between the United States of America and the United States of Mexico, of January 20, 1883, for the exchange of the ratifications of that instrument, shall be and is hereby extended to the 20th day of May next. The present additional article shall be ratified, and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof we the respective Plenipotentiaries have signed the same, and have hereunto affixed our respective seals.

Done in duplicate at the City of Washington, the 17th day of January in the year of our Lord one thousand eight hundred and eighty-four.

FREDK. T. FRELINGHUYSEN. [SEAL.]
M. ROMERO. [SEAL.]

[PROTOCOL 3.]

PROTOCOL OF AN AGREEMENT SIGNED THIS 11TH DAY OF FEBRUARY 1884, BETWEEN FREDERICK T. FRELINGHUYSEN, SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND MATIAS ROMERO, ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF MEXICO:

The undersigned, duly authorized thereto by their respective Governments, and with the purpose of correcting an error of translation in the text of the Commercial Convention between the United States of America and the United States of Mexico signed in the city of Washington on the 20th day of January 1883, hereby agree and declare:

That the English word *berries*, found in the 18th (24th) item of the schedule of Mexican articles to be admitted duty free into the United States of America contained in Article I. of said Convention, shall be held to have its equivalent in fact, for all purposes of the execution of said Convention in the Spanish word *bayas* instead of the Spanish word *cerezas* which appears by error in the Spanish text of said Convention as signed.

This agreement shall be attached to and proclaimed with said Convention.

In witness whereof we have subscribed and sealed this Agreement, in the English and Spanish languages, in the city of Washington this 11th day of February, 1884.

FREDK. T. FRELINGHUYSEN. [SEAL.]
M. ROMERO. [SEAL.]

[PROTOCOL 4.]

The Commissioners, Ulysses S. Grant and William H. Trescot, on the part of the United States, and Matias Romero and Estanislao Cañedo, on the part of Mexico, met at the State Department at 1 o'clock, January 15, 1883.

Upon submitting to each other their respective powers, the Commissioners of the United States called to the attention of the Commissioners of Mexico that while the powers of the former were full, the powers of the latter were confined to the execution of such a Treaty as was prescribed in their instructions, and as these instructions were unknown to the United States Commissioners, the powers could scarcely be considered "like and equal."

The Mexican Commissioners said they proposed to communicate their instructions, and, at the request of the United States Commissioners, consented to attach them to their powers as part thereof.

As these instructions referred to a draft of a treaty in possession of the Mexican Commissioners as representing the views of the Mexican Government, it was agreed that the treaty should be read.

It was accordingly read, article by article.

Upon the reading of the first article, the United States Commissioners stated that complaints had been made that merchandise going from the United States into Mexico and subject to duty was not only so taxed at the port of entry, but was subject to extra taxation imposed upon the border line of every State of the Mexican Republic through which it might pass. They wished to know whether the condition of Mexican law, taken in connection with the language of this article, exempting goods on the free list from all "taxation whether Federal or local," was such as to secure these goods from local taxation.

The Mexican Commissioners said:

"That section I. of article 112 of the Federal Constitution of the United States of Mexico provides that the States cannot levy any tax upon tonnage or any other port duty, or upon imports and exports unless they are authorized to do so by the Federal Congress. That the Federal Congress has not authorized the States to levy any tax upon imports and exports, and could not give any such authority if this project became a treaty, so far as the articles embraced in Article 2 of the treaty are concerned.

“That, therefore, if any State should attempt to collect any tax on said articles, or any other foreign articles, in Mexico, the interested parties could apply to the proper courts and have the wrong remedied in accordance with the Mexican laws.”

Having considered Articles 1 and 2, with the respective free lists, the Commission adjourned to meet on Tuesday, the 16th instant, at 10 o'clock.

[U. S. GRANT.]
[WM. HENRY TRESCOT.]
[M. ROMERO.]
[E. CAÑEDO.]

[PROTOCOL 5.]

WASHINGTON, *Tuesday, January 16, 1883.*

The Commissioners met at 10 o'clock.

The reading of the articles of the treaty draft was renewed.

In connection with Articles 3 and 4, the United States Commissioners suggested that, without making any alteration in the substance of the articles, it would be desirable if some concert could be had in the establishment of such customs regulations as might be found necessary for proof of the character of the merchandise made free under the provisions of the Treaty; and they considered it important that the official examination of such merchandise once made at a port of original entry should be sufficient to carry such goods to their point of destination without further examination.

The Mexican Commissioners said that the Mexican Government was now endeavoring to modify its customs regulations; that a Commissioner was appointed to come to the United States to examine the customs regulations between the United States and Canada, who has reported favorably upon the adoption of that system, and that a Commission was now sitting in Mexico for the revision of the tariff, and would probably adopt that system; that the introduction and development of railroads would require a change in the present system, and that they had no doubt some plan would be devised by which goods could be carried under bond to their point of final destination; that, as they had explained before, no separate State had the right to levy taxes upon imports without the consent of the Federal Congress, and that goods declared free, having once passed the customhouse of original entry, or having arrived at the place of destination, if the bond system was adopted, would not need any further justification.

The remaining articles of the draft, with the exception of Article 5, were then read, and in some respects modified.

Article V. was then read.

The United States Commissioners submitted a modification by which the free lists were made the exclusive privilege of the contracting parties during the term of the existence of the treaty—six years.

After a very full discussion, the Mexican Commissioners said that they were not authorized to accept the modification; and the United States Commissioners replied that under their instructions they were not authorized to accept the article without some modification.

The subject was referred for further discussion to the next meeting.

The Commission then adjourned to meet on Wednesday, January 17, at 11 o'clock.

[U. S. GRANT.]
[WM. HENRY TRESCOT.]
[M. ROMERO.]
[E. CAÑEDO.]

[PROTOCOL. 6]

PROTOCOL OF A CONFERENCE HELD AT THE DEPARTMENT OF STATE IN THE CITY OF WASHINGTON THE 20TH DAY OF MAY, 1884, BETWEEN FREDERICK T. FRELINGHUYSEN, SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND MATIAS ROMERO, ENVOY EXTRAORDINARY AND MINISTER PLINIPOTENTIARY OF THE UNITED STATES OF MEXICO.

Whereas a Treaty of Commerce was concluded between the United States of America and the United Mexican States and signed by their respective Plenipotentiaries at Washington on the 20th day of January, 1883;

And whereas, the Senate of the United States by their Resolution of the 11th of March, 1884 (two-thirds of the Senators present concurring) did advise and consent to the ratification of the said Treaty and the Protocols thereto with the following amendments:

Amend Article eight so as to read as follows:—

“The present convention shall take effect as soon as it has been approved and ratified by both contracting parties, according to their respective constitutions; but not until laws necessary to carry it into operation, shall have been passed both by the Congress of the United States and the Government of the United Mexican States, and regulations provided accordingly, which shall take place within twelve months from the date of the exchange of ratifications to which Article ten refers.”

Article ten, line three, strike out the word “twelve” and insert in lieu thereof the word “sixteen.”

And whereas the said Treaty with acceptance of said amendment was ratified by the Senate of the United States of Mexico on the 14th day May, 1884.

And whereas the Treaty has been ratified by both Governments, but the Mexican exchange copy, although on its way to Washington, has not yet arrived, it is agreed that this Protocol shall have the effect of an exchange of ratifications when complemented by a formal exchange to take place upon the arrival of the Mexican copy, and this Protocol to take effect only on the arrival of the Mexican copy of the Treaty, and then, as of to-day, when another Protocol shall be signed reciting the substance of this.

In witness whereof we have hereunto set our hands and seals.

FREDK. T. FRELINGHUYSEN. [SEAL.]

M. ROMERO. [SEAL.]

[PROTOCOL 7.]

Whereas, upon the 20th day of May, 1884, a protocol of a Conference held at the Department of State in the City of Washington, was signed, which provided that as the Treaty between the United States of America and the United Mexican States, signed at Washington on the 20th day of January, 1883, had been ratified by both Governments; but the Mexican Exchange Copy, although on its way to Washington had not then arrived, it was agreed that the protocol should have the effect of an exchange of ratifications when complemented by a formal exchange, to take place upon the arrival of the Mexican copy, the protocol to take effect only on the arrival of the Mexican copy of the Treaty, and then as of its date, when another protocol should be signed citing the substance of the protocol of May 20;

And whereas the Mexican copy of the Treaty has now arrived, and the respective ratifications of said Treaty have been carefully compared and found conformable, the undersigned ratify and confirm the Protocol of May 20th, hereinbefore referred to.

In testimony whereof they have hereunto set their hands and affixed their seals at Washington this twenty-sixth day of May in the year one thousand eight hundred and eighty-four.

FREDK. T. FRELINGHUYSEN. [SEAL.]

M. ROMERO. [SEAL.]

1883.

AGREEMENT CONCERNING PURSUIT OF INDIANS ACROSS BORDER.

Concluded June 28, 1883.

Memorandum of an agreement entered into in behalf of their respective Governments, by Philip H. Morgan, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, and José Fernandez, Oficial Mayor of the Department for Foreign Affairs of Mexico, and in charge thereof, for the prolongation of the agreement entered into between their respective Governments by Frederick T. Frelinghuysen, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico, at Washington, on the Twenty-ninth July, Eighteen Hundred and Eighty-two, and the Protocol thereto attached, signed by the same parties in their aforesaid respective capacities, of the Twenty-first September Eighteen Hundred and Eighty-two, which provides for the reciprocal crossing, in the unpopulated or desert parts of the international boundary line, by the regular federal troops of the respective Governments, in pursuit of savage hostile Indians.

ONLY ARTICLE.

It is agreed, that the agreement entered into between the United States of America, therein represented by Frederick T. Frelinghuysen, their Secretary of State, and the Mexican Republic, therein represented by Matias Romero, their Envoy Extraordinary and Minister Plenipotentiary, at Washington, on the twenty-ninth day of July, Eighteen Hundred and Eighty-two, and the Protocol thereto, signed by the same parties as above named and in their respective capacities as aforesaid, on the twenty-first day of September Eighteen Hundred and Eighty-two, which provides for the reciprocal crossing, in the unpopulated or desert parts of the international boundary line, by the regular federal troops of the respective Governments, in pursuit of savage hostile Indians, which said agreement, as well as the Protocol thereto, expires on the Eighteenth day of August, Eighteen Hundred and Eighty-three, be and the same is hereby prorogued, in all of its parts, conditions and stipulations, for one year from the Eighteenth of August, Eighteen Hundred and Eighty-three: That is to say, until the Eighteenth day of August Eighteen Hundred and Eighty-four.

In faith of which we have interchangeable signed this Memorandum, at the City of Mexico this Twenty-eighth day of June Eighteen Hundred and Eighty-three.

[SEAL.]

[SEAL.]

P. H. MORGAN.

JOSE FERNANDEZ.

1884.

AGREEMENT RENEWING STIPULATIONS IN FORMER AGREEMENTS, CONCERNING RIGHT TO PURSUE INDIANS ACROSS THE BOUNDARY LINE.

Signed and exchanged at the city of Mexico, October 31, 1884.

Protocol of a convention celebrated in the name of their respective Governments by Mr. Harry H. Morgan, Chargé d' Affaires ad interim of the United States of America and Señor José Fernandez, Under Secretary in charge of the Department for Foreign Affairs of the United States of Mexico, for the renewal of the agreement entered into by Frederick T. Frelinghuysen, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico, each one in representation of their respective Governments, at the city of Washington on the twenty-ninth day of July, one thousand eight hundred and eighty-two and the Protocol thereto attached, signed by the same parties in their aforesaid

capacities, of the twenty-first of September, one thousand eight hundred and eighty-two, which provides for the reciprocal passage in the unpopulated or desert parts of the international boundary line by the regular federal troops of the respective Governments in pursuit of savage hostile Indians.

In the city of Mexico, being present in the reception room of the Department for Foreign Affairs, Señor Don José Fernandez, Under-Secretary in charge of the said Department, and Mr. Harry H. Morgan, Chargé d'Affaires ad interim of the United States of America, the first manifests that the Executive of the United States of Mexico having been authorized by the Chamber of Senators of the Congress of the Union, under date of the ninth instant, to renew the convention of the twenty-ninth of July, one thousand eight hundred and eighty-two concerning the reciprocal passage of regular federal troops across the frontier in pursuit of hostile Indians he was prepared to sign the following agreement and both contracting parties being satisfied if the full authorization granted to each to treat upon the subject, in the name of their respective Governments, agreed upon the following:

ONLY ARTICLE.

It is agreed that the Convention entered into in the city of Washington on twenty-ninth day of July, one thousand, eight hundred and eighty-two between the United States of America therein represented by Frederick T. Frelinghuysen, Secretary of State of the same, and the United States of Mexico, therein represented by Matias Romero, their Envoy Extraordinary and Minister Plenipotentiary at Washington, which provides for the reciprocal passage, in the unpopulated or desert parts of the international boundary line, by the regular federal troops of the respective Governments, in pursuit of savage hostile Indians, is hereby renewed in all of its parts, conditions and stipulations except in regard to the time for which the said agreement will remain in force, the time of which has been reduced one year counting from the thirty-first of October eighteen hundred and eighty-four; that is until the thirty-first of October eighteen hundred and eighty-five.

In faith of which we have signed and reciprocally exchanged this Protocol at the city of Mexico, to-day, the thirty-first of October, eighteen hundred and eighty-four.

[SEAL.]
[SEAL.]

H. H. MORGAN.
JOSE FERNANDEZ.

1884.

BOUNDARY CONVENTION, RIO GRANDE AND RIO COLORADO.

Concluded November 12, 1884; ratification advised by the Senate March 18, 1885; modifications consented to by the Senate June 23, 1886; ratified by the President July 10, 1886; ratifications exchanged September 13, 1886; proclaimed September 14, 1886.

ARTICLES.

- | | |
|--------------------------------|---------------------|
| I. Boundaries in rivers named. | IV. Bridges. |
| II. Changes. | V. Riparian rights. |
| III. Artificial changes. | VI. Ratification. |

Whereas, in virtue of the Vth article of the Treaty of Guadalupe Hidalgo between the United States of America and the United States of Mexico, concluded February 2, 1848, and of the first article of that of December 30, 1853, certain parts of the dividing line between the two countries follow the middle of the channel of the Rio Grande and the Rio Colorado, to avoid difficulties which may arise through the changes of channel to which those rivers are subject through the operation of natural forces, the Government of the United States of America and the Government of the United States of Mexico have resolved to conclude a convention which shall lay down rules for the determination of such questions, and have appointed as their Plenipotentiaries:

The President of the United States of America, Frederick T. Frelinghuysen, Secretary of State of the United States; and the President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United Mexican States;

Who, after exhibiting their respective Full Powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

The dividing line shall forever be that described in the aforesaid Treaty and follow the center of the normal channel of the rivers named, notwithstanding any alterations in the banks or in the course of those rivers, provided that such alterations be effected by natural causes through the slow and gradual erosion and deposit of alluvium and not by the abandonment of an existing river bed and the opening of a new one.

ARTICLE II.

Any other change, wrought by the force of the current, whether by the cutting of a new bed, or when there is more than one channel by the deepening of another channel than that which marked the boundary at the time of the survey made under the aforesaid Treaty, shall produce no change in the dividing line as fixed by the surveys of the International Boundary Commissions in 1852, but the line then fixed shall continue to follow the middle of the original channel bed, even though this should become wholly dry or be obstructed by deposits.

ARTICLE III.

No artificial change in the navigable course of the river, by building jetties, piers, or obstructions which may tend to deflect the current or produce deposits or alluvium, or by dredging to deepen another than the original channel under the Treaty when there is more than one channel, or by cutting waterways to shorten the navigable distance, shall be permitted to affect or alter the dividing line as determined by the aforesaid commissions in 1852 or as determined by Article I hereof and under the reservation therein contained; but the protection of the banks on either side from erosion by revetments of stone or other material not unduly projecting into the current of the river shall not be deemed an artificial change.

ARTICLE IV.

If any international bridge have been or shall be built across either of the rivers named, the point on such bridge exactly over the middle of the main channel as herein determined shall be marked by a suitable monument, which shall denote the dividing line for all the purposes of such bridge, notwithstanding any change in the channel which may thereafter supervene. But any rights other than in the bridge itself and in the ground on which it is built shall in event of any such subsequent change be determined in accordance with the general provisions of this convention.

ARTICLE V.

Rights of property in respect of lands which may have become separated through the creation of new channels as defined in Article II. hereof, shall not be effected thereby, but such lands shall continue to be under the jurisdiction of the country to which they previously belonged.

In no case, however, shall this retained jurisdictional right affect or control the right of navigation common to the two countries under the stipulations of Article VII of the aforesaid Treaty of Guadalupe Hidalgo; and such common right shall continue without prejudice throughout the actually navigable main channels of the said rivers, from the mouth of the Rio Grande to the point where the Rio Colorado ceases to be the international boundary, even though any part of the channel of said rivers, through the changes herein provided against, may be comprised within the territory of one of the two nations.

ARTICLE VI.

This convention shall be ratified by both parties in accordance with their respective constitutional procedure, and the ratifications exchanged in the city of Washington as soon as possible.

In witness whereof the undersigned Plenipotentiaries have hereunto set their hands and seals.

Done at the city of Washington, in duplicate, in the English and Spanish languages, this twelfth day of November, A. D. 1884.

[SEAL.]

FREDK. T. FRELINGHUYSEN.

[SEAL.]

M. ROMERO.

1885.

RECIPROCITY CONVENTION.

Concluded February 25, 1885; ratification advised by the Senate March 20, 1885; ratified by the President November 12, 1885; ratifications exchanged November 27, 1885; proclaimed May 4, 1886.

The United States of America and the United States of Mexico, deeming it expedient to extend the time for the approval of the laws necessary to carry into operation the Commercial Convention between the two Governments concluded at Washington, January 20, 1883, fixed in Article VIII., of said Convention, have agreed upon an additional article and have appointed as their Plenipotentiaries:

The President of the United States of America, Frederick T. Frelinghuysen, Secretary of State of the United States of America, and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico at Washington;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following article:

ADDITIONAL ARTICLE.

The time originally fixed in Article VIII of the Commercial Convention between the United States of America and the United States of Mexico, concluded at Washington, January 20, 1883, for the approval of the laws necessary to carry it into operation, is hereby extended to May 20, 1886.

This additional article shall be ratified by the contracting Parties, in conformity with their respective Constitutions and its ratifications shall be exchanged in Washington as soon as possible.

In faith whereof we, the undersigned, in virtue of our respective full powers, have signed the present additional article in duplicate, and have hereunto affixed our respective seals.

Done at the City of Washington the 25th day of February in the year of our Lord one thousand eight hundred and eighty-five.

[SEAL.]

FREDK. T. FRELINGHUYSEN.

[SEAL.]

M. ROMERO.

1885.

MEMORANDUM OF AN AGREEMENT EXTENDING AGREEMENT SIGNED OCTOBER 31, 1884, IN REFERENCE TO PURSUIT OF INDIANS.

Signed and exchanged October 16, 1885.

Memorandum of an agreement concluded in the name of their respective Governments by Mr. Henry R. Jackson, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, and Mr. Ignacio Mariscal, Secretary of State and of the Department of Foreign Relations of the United Mexican States, for the extension of the agreement of the thirty-first of October

one thousand eight hundred and eighty-four, which stipulated the renewal of the one concluded in Washington on the twenty-ninth day of July, one thousand eight hundred and eighty-two, authorizing the reciprocal crossing of the unpopulated and deserted portions of the international boundary line by the regular Federal troops of both Governments in pursuit of savage hostile Indians.

In the City of Mexico, in the Conference Hall of the Department of Foreign Relations, Mr. Henry R. Jackson, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, and Mr. Ignacio Mariscal, Secretary of State and of the Department of Foreign Relations, being present, the latter declared that the Executive of the United Mexican States having been authorized by the Chamber of Senators of the Congress of the Union, under date of the twenty-ninth of September last, to extend for one year the agreement of the twenty-ninth of July, one thousand eight hundred and eighty-two, which was extended for another year from the eighteenth of August, one thousand eight hundred and eighty-three, and renewed on the thirty-first of October, one thousand eight hundred and eighty-four, for the reciprocal crossing of the frontier by regular Federal troops of both Governments in pursuit of savage Indians, he was ready to sign the conformable stipulation, and both contracting parties being satisfied of the full authorization granted to both to treat upon this subject, agreed, in the name of their respective Governments, upon the following:

SINGLE ARTICLE.

It is hereby stipulated that the agreement concluded in the City of Mexico on the thirty-first day of October, one thousand eight hundred and eighty-four, between the United Mexican States, represented by Mr. José Fernandez in his character of Sub-Secretary in charge of the Department of Foreign Relations, and the United States of America, represented by Mr. Harry H. Morgan, Chargé d'Affaires *ad interim* of the said States, for the renewal of the agreement of the twenty-ninth of July one thousand eight hundred and eighty-two, which authorized the reciprocal crossing of the unpopulated and deserted portions of the international boundary-line by the regular Federal troops of the respective Governments, in pursuit of savage hostile Indians, is now extended for one year more, to be counted from the first of November, one thousand eight hundred and eighty-five to the first of November, one thousand eight hundred and eighty-six.

In testimony of which we have signed and interchanged, reciprocally, this Memorandum, in the City of Mexico, to day the sixteenth of October, one thousand eight hundred and eighty-five.

[SEAL.]

[SEAL.]

HENRY R. JACKSON.

IGN.° MARISCAL.

1885.

ADDITIONAL ARTICLE TO THE CONVENTION OF JULY 29, 1882, PROVIDING FOR AN EXTENSION OF THE TIME FIXED IN ARTICLE VIII OF SAID CONVENTION FOR RE-SURVEYING AND RE-LOCATING THE EXISTING FRONTIER LINE BETWEEN THE TWO COUNTRIES WEST OF THE RIO GRANDE.

Concluded December 5, 1885; ratification advised by the Senate with amendment June 21, 1886; ratified by the President of the United States June 23, 1887; ratifications exchanged at Washington June 27, 1887; proclaimed June 28, 1887.

ADDITIONAL ARTICLE TO THE CONVENTION CONCLUDED AT WASHINGTON THE TWENTY-NINTH OF JULY, ONE THOUSAND EIGHT HUNDRED AND EIGHTY-TWO BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES OF MEXICO.

The United States of America and the United States of Mexico being desirous to comply with the provisions of the Convention, signed at Washington on the twenty-ninth of July, one thousand eight hundred and eighty-two, to survey and re-locate the existing boundary line, between the two countries west

of the Rio Grande, which so far as they relate to Article VIII of said Convention, have not been carried out through delays in the appointment of the Commission to undertake the work have deemed it expedient to agree upon an extension of the time provided for in said article, and to this end they have appointed their respective Plenipotentiaries, to-wit:

The President of the United States of America, Thomas F. Bayard, Secretary of State to the United States of America, and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington.

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following article:

ADDITIONAL ARTICLE.

The time fixed in Article VIII of the Convention concluded at Washington, July 29, 1882, between the United States of America and the United States of Mexico, to establish an international boundary commission for the purpose of re-surveying and re-locating the existing boundary line between the two countries, west of the Rio Grande, as provided for in said Convention, is hereby extended for eighteen months from the expiration of the term fixed in Article VIII of the said Treaty of July 29, 1882.

This additional Article shall be ratified by the contracting parties in conformity with their respective constitutions and its ratification shall be exchanged in Washington, as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed the present additional article in duplicate and have thereunto affixed our respective seals.

Done at the city of Washington, the 5th day of December, in the year of the Lord, one thousand eight hundred and eighty-five.

T. F. BAYARD. [SEAL.]
M. ROMERO. [SEAL.]

1886.

SUPPLEMENTAL ARTICLE TO THE COMMERCIAL CONVENTION CONCLUDED JANUARY 20, 1883, AND TO THE ADDITIONAL ARTICLE THERETO OF FEBRUARY 25, 1885.

Concluded at Washington May 14, 1886; ratification advised by the Senate January 7, 1887; ratified by the President of the United States January 24, 1887; ratifications exchanged January 29, 1887; proclaimed February 1st, 1887.

SUPPLEMENTARY ARTICLE TO THE COMMERCIAL CONVENTION CONCLUDED BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES OF MEXICO, JANUARY 20, 1883, AND TO THE ADDITIONAL ARTICLE CONCLUDED BETWEEN THE SAME HIGH PARTIES, FEBRUARY 25, 1885.

The United States of America and the United States of Mexico, deeming it expedient to further extend the time for the approval of the laws necessary to carry into operation the Commercial Convention concluded between the two Governments, signed at Washington, January 20, 1883, which time as fixed in Article VIII of said convention was by the Additional Article signed February 25, 1885, extended until the 20th of May of the present year, have appointed as their Plenipotentiaries, to-wit:

The President of the United States of America, Thomas Francis Bayard, Secretary of State of the United States of America, and the President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico at Washington; Who, after having exhibited to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Article:

SUPPLEMENTARY ARTICLE.

The time originally fixed in Article VIII of the Commercial Convention between the United States of America and the United States of Mexico, signed at Washington, January 20, 1883, for the approval of the laws necessary to carry it into operation, and which time was, by the additional article between the United States of America and the United States of Mexico signed February 25, 1885, extended to May 20, 1886, is hereby further extended to the 20th of May, 1887.

This Supplementary Article shall be ratified by the contracting parties in conformity with their respective Constitutions, and its ratifications shall be exchanged in Washington as soon as possible,—it being understood that such exchange of ratifications at any date prior to the 20th of May, 1887, shall be effective for all the intents and purposes of the present Article.

In faith whereof we, the undersigned Plenipotentiaries have signed the present Supplementary Article, in duplicate, in the English and Spanish languages, and have hereunto affixed our respective seals.

Done at the City of Washington the 14th day of May, in the year of our Lord one thousand eight hundred and eighty-six.

T. F. BAYARD. [SEAL.]
M. ROMERO. [SEAL.]

1889.

CONVENTION TO REVIVE THE PROVISIONS OF THE CONVENTION OF JULY 29, 1882, TO SURVEY AND RELOCATE THE BOUNDARY LINE WEST OF THE RIO GRANDE AND TO EXTEND THE TIME FIXED IN ARTICLE VIII OF THE SAID CONVENTION.

Concluded February 18, 1889; ratification advised by the Senate March 26, 1889; ratified by the President April 30, 1889; ratifications exchanged October 12, 1889; proclaimed October 14, 1889.

ARTICLES.

I. Revival of convention.

II. Extension of time.

Convention between the United States of America and the United States of Mexico, to revive the provisions of the Convention of July 29, 1882, to survey and relocate the existing boundary line between the two countries west of the Rio Grande, and to extend the time fixed in Article VIII of the said Convention for the completion of the work in question.

Whereas the provisions of the Convention between the United States of America and the United States of Mexico, signed at Washington on the twenty-ninth of July, one thousand eight hundred and eighty-two, to survey and relocate the existing boundary between the two countries west of the Rio Grande, so far as they relate to Article VIII of said Convention, have not been carried out through delays in the appointment of the Commission to undertake the work;

And whereas, by the Additional Article to the said Convention; signed at Washington, the fifth of December, one thousand eight hundred and eighty-five, the time fixed in Article VIII of the said Convention of July 29, 1882, was extended for a period of eighteen months from the expiration of the term stipulated in said Article VIII;

And whereas, the said additional period of time, as so extended, has expired without the appointment of the Commission in question, and the said Convention has accordingly ceased to be in force pursuant to the provisions of Article VIII thereof;

And whereas, it is the wish and understanding of the United States and Mexico that the provisions of the said Convention of July 29, 1882, shall be revived and continued in force and effect until the completion of the work for which it was originally negotiated, they have appointed for this purpose, their respective Plenipotentiaries, to wit:

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America, and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington,

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

In view of the fact that the original Convention of July 29, 1882, between the United States and Mexico, providing for the resurvey of their boundary line, has lapsed by reason of the failure of the two governments to provide for its further extension before the 3d day of January, 1889, as contemplated by the Additional Article to that Convention, of December 5, 1885, it is hereby mutually agreed and expressly understood by and between the contracting parties hereto, that the said Convention of July 29, 1882, and every article and clause thereof, are hereby revived and renewed as they stood prior to January 3, 1889.

ARTICLE II.

The time fixed in Article VIII of the Convention concluded at Washington, July 29, 1882, between the United States of America and the United States of Mexico, to establish an international boundary commission for the purpose of resurveying and relocating the existing boundary line between the two countries west of the Rio Grande, as provided for in said Convention, and which was extended for eighteen months from the expiration of the term fixed in Article VIII of the said Convention of July 29, 1882, is hereby further extended for a period of five years from the date of the exchange of ratifications hereof.

This Convention shall be ratified by the contracting parties in conformity with their respective constitutions and its ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed the present Convention, in duplicate, and have thereunto affixed our respective seals.

Done at the City of Washington, the 18th day of February, in the year of our Lord one thousand eight hundred and eighty-nine.

T. F. BAYARD. [SEAL.]
M. ROMERO. [SEAL.]

1889.

BOUNDARY CONVENTION.

Concluded March 1, 1889; ratification advised by the Senate May 7, 1890; ratified by the President December 6, 1890; ratifications exchanged December 24, 1890; proclaimed December 26, 1890.

ARTICLES.

- | | |
|--|--|
| I. International Boundary Commission authorized. | V. Investigation of works on banks of Colorado and Rio Grande. |
| II. Composition. | VI. Examinations. |
| III. Meetings of Commission. | VII. Jurisdiction. |
| IV. Duties. | VIII. Decisions. |
| | IX. Ratification. |

The United States of America and the United States of Mexico, desiring to facilitate the carrying out of the principles contained in the treaty of November 12, 1884, and to avoid the difficulties occasioned by reason of the changes which take place in the bed of the Rio Grande and that of the Colorado river, in that portion thereof where they serve as a boundary between the two Republics, have resolved to conclude a treaty for the attainment of these objects, and have appointed as their respective Plenipotentiaries:

The President of the United States of America, Thomas F. Bayard, Secretary of State of the United States of America; and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico, at Washington;

Who, after having exhibited their respective full powers, and having found the same to be in good and due form, have agreed upon the following articles:

ARTICLE I.

All differences or questions that may arise on that portion of the frontier between the United States of America and the United States of Mexico where the Rio Grande and the Colorado rivers form the boundary line, whether such differences or questions grow out of alterations or changes in the bed of the aforesaid Rio Grande and that of the aforesaid Colorado River, or of works that may be constructed in said rivers, or of any other cause affecting the boundary line, shall be submitted for examination and decision to an International Boundary Commission, which shall have exclusive jurisdiction in the case of said differences or questions.

ARTICLE II.

The International Boundary Commission shall be composed of a Commissioner appointed by the President of the United States of America, and of another appointed by the President of the United States of Mexico, in accordance with the constitutional provisions of each country, of a Consulting Engineer, appointed in the same manner by each Government, and of such Secretaries and Interpreters as either Government may see fit to add to its Commission. Each Government separately shall fix the salaries and emoluments of the members of its Commission.

ARTICLE III.

The International Boundary Commission shall not transact any business unless both Commissioners are present. It shall sit on the frontier of the two contracting countries, and shall establish itself at such places as it may determine upon; it shall, however, repair to places at which any of the difficulties or questions mentioned in this convention may arise, as soon as it shall have been duly notified thereof.

ARTICLE IV.

When, owing to natural causes, any change shall take place in the bed of the Rio Grande or in that of the Colorado River, in that portion thereof wherein those rivers form the boundary line between the two countries, which may affect the boundary line, notice of that fact shall be given by the proper local authorities on both sides to their respective Commissioners of the International Boundary Commission, on receiving which notice it shall be the duty of the said Commission to repair to the place where the change has taken place or the question has arisen, to make a personal examination of such change, to compare it with the bed of the river as it was before the change took place, as shown by the surveys, and to decide whether it has occurred through avulsion or erosion, for the effects of articles I and II of the convention of November 12, 1884; having done this, it shall make suitable annotations on the surveys of the boundary line.

ARTICLE V.

Whenever the local authorities on any point of the frontier between the United States of America and the United States of Mexico, in that portion in which the Rio Grande and the Colorado River form the boundary between the two countries, shall think that works are being constructed, in either of those

rivers, such as are prohibited by article III of the convention of November 12, 1884, or by article VII of the treaty of Guadalupe Hidalgo of February 2, 1848, they shall so notify their respective Commissioners, in order that the latter may at once submit the matter to the International Boundary Commission, and that said Commission may proceed, in accordance with the provisions of the foregoing article, to examine the case, and that it may decide whether the work is among the number of those which are permitted, or of those which are prohibited by the stipulations of those treaties.

The Commission may provisionally suspend the construction of the works in question pending the investigation of the matter, and if it shall fail to agree on this point, the works shall be suspended, at the instance of one of the two Governments.

ARTICLE VI.

In either of these cases, the Commission shall make a personal examination of the matter which occasions the change, the question or the complaint, and shall give its decision in regard to the same, in doing which it shall comply with the requirements established by a body of regulations to be prepared by the said Commission and approved by both Governments.

ARTICLE VII.

The International Boundary Commission shall have power to call for papers and information, and it shall be the duty of the authorities of each of the two countries to send it any papers that it may call for, relating to any boundary question in which it may have jurisdiction in pursuance of this convention.

The said Commission shall have power to summon any witnesses whose testimony it may think proper to take, and it shall be the duty of all persons thus summoned to appear before the same and to give their testimony, which shall be taken in accordance with such by-laws and regulations as may be adopted by the Commission and approved by both Governments. In case of the refusal of a witness to appear, he shall be compelled to do so, and to this end the Commission may make use of the same means that are used by the courts of the respective countries to compel the attendance of witnesses, in conformity with their respective laws.

ARTICLE VIII.

If both Commissioners shall agree to a decision, their judgment shall be considered binding upon both Governments, unless one of them shall disapprove it within one month reckoned from the day on which it shall have been pronounced. In the latter case, both Governments shall take cognizance of the matter, and shall decide it amicably, bearing constantly in mind the stipulation of Article XXI of the treaty of Guadalupe Hidalgo of February 2, 1848.

The same shall be the case when the Commissioners shall fail to agree concerning the point which occasions the question, the complaint or the change, in which case each Commissioner shall prepare a report, in writing, which he shall lay before his Government.

ARTICLE IX.

This convention shall be ratified by both parties, in accordance with the provisions of their respective constitutions, and the ratifications thereof shall be exchanged at Washington as speedily as possible—and shall be in force from the date of the exchange of ratifications for a period of five years.

In testimony whereof the undersigned Plenipotentiaries have signed and sealed it.

Done in duplicate, in the city of Washington, in the English and Spanish languages, on the 1st day of March one thousand eight hundred and eighty-nine.

T. F. BAYARD. [SEAL.]
M. ROMERO. [SEAL.]

1890.

AGREEMENT BETWEEN JAMES G. BLAINE, SECRETARY OF STATE OF THE UNITED STATES OF AMERICA, AND MATIAS ROMERO, ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED MEXICAN STATES, CONCERNING RIGHT TO PURSUE INDIANS ACROSS BOUNDARY LINE.

Signed at Washington, June 25, 1890.

Agreement entered into in behalf of their respective Governments by James G. Blaine, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United Mexican States, providing for the reciprocal crossing of the international boundary line by the troops of their respective governments, in pursuit of savage hostile Indians, under the conditions hereinafter stated.

ARTICLE I.

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries, when they are in close pursuit of a band of hostile savage Indians, upon the conditions stated in the following articles:

ARTICLE II.

It is understood for the purpose of this agreement, that no Indian scouts of the Government of the United States of America shall be allowed to cross the boundary line, unless they go as guides and trailers, unarmed, and not exceeding in any case, two scouts for each Company or each separate command.

ARTICLE III.

The reciprocal crossing agreed upon in Article I, shall only occur in the unpopulated or desert parts of said boundary line. For the purpose of this agreement the unpopulated or desert parts are defined to be all those points which are at least ten kilometers distant from any encampment or town of either country.

ARTICLE IV.

No crossing of troops of either country shall take place from Capitan Leal, a town on the Mexican side of the Rio Bravo, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

ARTICLE V.

The Commander of the troops which cross the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he enters.

ARTICLE VI.

The pursuing force shall retire to its own territory as soon as it shall have fought the band of which it is in pursuit, or have lost its trail. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory, for any time longer than is necessary to make the pursuit of the band whose trail they follow.

ARTICLE VII.

The abuses which may be committed by the forces which cross into the territory of the other nation, shall be punished by the government to which the forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own territory, the said government being further under obligation to withdraw the guilty parties from the frontier.

ARTICLE VIII.

In the case of offences which may be committed by the inhabitants of the one country against the foreign forces which may be within its limits, the government of said country shall only be responsible to the government of the other for denial of justice in the punishment of the guilty.

ARTICLE IX.

This being a provisional agreement it shall remain in force until both governments negotiate a definite one, and may be terminated by either government upon four months' notice to the other to that effect; but in no case shall this agreement remain in force for more than one year from this date.

ARTICLE X.

The Senate of the United Mexican States, having authorized the President to conclude the present agreement, it shall have its effect from this date.

In testimony whereof we have interchangeably signed this agreement this 25th day of June, 1890.

JAMES G. BLAINE. [SEAL.]
M. ROMERO. [SEAL.]

1892.

AGREEMENT BETWEEN C. A. DOUGHERTY, CHARGÉ D' AFFAIRES AD INTERIM OF THE UNITED STATES OF AMERICA, AND IGNACIO MARSICAL, SECRETARY OF FOREIGN AFFAIRS OF THE UNITED MEXICAN STATES, CONCERNING RIGHT TO PURSUE INDIANS ACROSS THE BOUNDARY LINE.

Signed at Mexico November 25, 1892.

RENEWAL OF AGREEMENT.

The undersigned, duly authorized thereto by their respective Governments.

In view of the wish of the Government of the United States of America, manifested by its Honorable Secretary of State, under date of the 17th of the current month, through its Legation, to the Secretary of Foreign Affairs of Mexico, for a renewal of the agreement signed at Washington on the 25th day of June, 1890, to allow federal troops of each of the two countries to cross over to the territory of the other in pursuit of savage hostile Indians, such renewal having become necessary by reason of the raids which according to advices from the War Department of the United States, are being committed by some Apaches headed by the Indian called "Kid" along the dividing line between Arizona and New Mexico, it being feared that they seek to evade pursuit made by troops of the United States, by crossing the frontier of Mexico.

And, considering that the understanding between the two interested Governments to avoid the continuation of the evils consequent upon the uprising of the said Indians is urgent.

They have agreed, in name and representation of their respective Governments, to renew the aforesaid agreement of June 25, 1890, of which a printed copy in English and Spanish is hereto attached, to the end that its effects may prevail for all such time as said uprising may last on the part of the Apache Indians led by the ring-leader "Kid," and the necessity may exist for their pursuit by an armed force, provided that, in no case, may the duration of the agreement thus hereby renewed, be extended beyond one year from this date.

Done in two copies, signed and sealed in the city of Mexico, this twenty-fifth day of November, the year one thousand eight hundred and ninety-two.

[SEAL.]
[SEAL.]

C. A. DOUGHERTY
IGNO MARSICAL

*[AGREEMENT, SIGNED AT WASHINGTON, JUNE 25, 1890.

Agreement entered into in behalf of their respective Governments, by James G. Blaine, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United Mexican States, providing for the reciprocal crossing of the international boundary line by the troops of their respective governments, in pursuit of savage hostile Indians, under the conditions hereinafter stated.

ARTICLE I.

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries, when they are in close pursuit of a band of hostile savage Indians, upon the conditions stated in the following articles:

ARTICLE II.

It is understood for the purpose of this agreement, that no Indian scouts of the Government of the United States of America shall be allowed to cross the boundary line, unless they go as guides and trailers, unarmed, and not exceeding in any case, two scouts for each Company or each separate command.

ARTICLE III.

The reciprocal crossing agreed upon in Article I, shall only occur in the unpopulated or desert parts of said boundary line. For the purpose of this agreement the unpopulated or desert parts are defined to be all those points which are at least ten kilometers distant from any encampment or town of either country.

ARTICLE IV.

No crossing of troops of either country shall take place from Capitan Leal, a town on the Mexican side of the Rio Bravo, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

ARTICLE V.

The Commander of the troops which cross the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he enters.

ARTICLE VI.

The pursuing force shall retire to its own territory as soon as it shall have fought the band of which it is in pursuit, or have lost its trail. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory, for any time longer than is necessary to make the pursuit of the band whose trail they follow.

ARTICLE VII.

The abuses which may be committed by the forces which cross into the territory of the other nation, shall be punished by the government to which the forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own territory, the said government being further under obligation to withdraw the guilty parties from the frontier.

ARTICLE VIII.

In the case of offences which may be committed by the inhabitants of the one country against the foreign forces which may be within its limits, the government of said country shall only be responsible to the government of the other for denial of justice in the punishment of the guilty.

*Reprinted in State Department Print of Protocol of Nov. 25, 1892.

ARTICLE IX.

This being a provisional agreement it shall remain in force until both governments negotiate a definite one, and may be terminated by either government upon four months' notice to the other to that effect; but in no case shall this agreement remain in force for more than one year from this date.

ARTICLE X.

The Senate of the United Mexican States, having authorized the President to conclude the present agreement, it shall have its effect from this date.

In testimony whereof we have interchangeably signed this agreement this 25th day of June, 1890.

JAMES G. BLAINE. [SEAL.]
M. ROMERO. [SEAL.]

1894.

CONVENTION TO EXTEND FURTHER FOR TWO YEARS FROM OCTOBER 11, 1894, THE PERIOD FIXED BY ARTICLE VIII OF THE CONVENTION OF JULY 29, 1882, PROVIDING FOR AN INTERNATIONAL BOUNDARY SURVEY TO RELOCATE THE EXISTING FRONTIER LINE WEST OF THE RIO GRANDE.

Concluded at Washington, August 24, 1894; ratification advised by the Senate, August 27, 1894; ratified by the President of the United States, September 1, 1894; ratifications exchanged at Washington, October 11, 1894; proclaimed, October 18, 1894.

Whereas the United States of America and the United States of Mexico desire to comply fully with the provisions of the Convention concluded and signed at Washington, July 29, 1882, providing for an international boundary survey to relocate the existing frontier line between the two countries west of the Rio Grande;

And whereas the time fixed by Article VIII of that Convention for the termination of the labors of the International Boundary Commission, as extended by Article II of the Convention concluded and signed between the two high contracting parties February 18, 1889, will expire October 11, 1894;

And whereas the two high contracting parties deem it expedient to agree upon a further extension of the time stipulated in Article II of the Convention aforesaid, to the end that the International Boundary Commission may be enabled to finish all its work and so render a report accompanied by a final map of the topography on both sides of the line, they have appointed for this purpose their respective Plenipotentiaries, to wit:

The President of the United States of America, Walter Q. Gresham, Secretary of State of the United States of America, and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington,

Who, after having communicated to each other their respective full powers found in good and due form, have agreed upon and concluded the following article:

ARTICLE I.

The period fixed by Article VIII of the aforesaid Convention of July 29, 1882, between the United States of America and the United States of Mexico, which was extended for five years from the date of the exchange of the ratifications of the Convention of February 18, 1889, between the same high contracting parties and which will terminate October 11, 1894, is hereby **further** extended for a period of two years from that date.

This Convention shall be ratified by the high contracting parties in conformity with their respective constitutions and its ratifications shall be exchanged in Washington, as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed this convention, in duplicate, in the English and Spanish languages and have thereunto affixed our respective seals.

Done at the City of Washington, the 24th day of August in the year one thousand eight hundred and ninety-four.

WALTER Q. GRESHAM [SEAL]
M. ROMERO. [SEAL]

1895.

BOUNDARY CONVENTION.

Concluded October 1, 1895; ratification advised by Senate December 17, 1895; ratified by the President December 20, 1895; ratifications exchanged December 21, 1895; proclaimed December 21, 1895.

Whereas, the United States of America and the United States of Mexico desire to comply fully with the provisions of the Convention, concluded and signed at Washington, March 1, 1889, to facilitate the carrying out of the principles contained in the Convention of November 12, 1884, between the Two High Contracting Parties, and to avoid the difficulties occasioned by reason of the changes which take place in the beds of the Rio Grande and Colorado river in that portion whereof where they serve as a boundary line between the two Republics;

And whereas the time fixed by Article IX of the Convention of March 1, 1889, will expire December 24, 1895;

And whereas the two High Contracting Parties deem it expedient to agree upon an extension of the time stipulated in Article IX aforesaid to the end that the International Boundary Commission may conclude the examination and decision of the cases submitted to it, they have appointed for this purpose their respective plenipotentiaries, to wit:

The President of the United States of America, Richard Olney, Secretary of State of the United States of America; and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico at Washington,

Who, after having communicated to each other their respective full powers, found in good and true form, have agreed upon and concluded the following article:

ARTICLE.

The duration of the convention of March 1, 1889, between the United States of America and the United States of Mexico, which, in virtue of the provisions of Article IX thereof, was to continue in force for a period of five years from the date of the exchange of its ratifications, and which will terminate Dec. 24, 1895, is hereby extended for the period of one year from that date.

This convention shall be ratified by the High Contracting Parties in conformity with their respective Constitutions, and its ratifications shall be exchanged at Washington as soon as possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers have signed this convention, in duplicate, in the English and Spanish languages, and thereunto affixed our respective seals.

Done at the City of Washington this first day of October, in the year of our Lord, one thousand eight hundred and ninety-five.

RICHARD OLNEY. [SEAL.]
M. ROMERO. [SEAL.]

1896.

COPYRIGHT.

Whereas it is provided by section 13 of the act of Congress of March 3, 1891, entitled "An Act to amend title sixty, chapter three, of the Revised Statutes of the United States, relating to copyrights," that said act "shall only apply to citizen or subject of a foreign state or nation when such foreign state or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may, at its pleasure, become a party to such agreement";

And whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require";

And whereas satisfactory official assurances have been given that in the United States of Mexico the law permits to citizens of the United States of America the benefit of copyright on substantially the same basis as to the citizens of that Republic:

Now, therefore, I, GROVER CLEVELAND, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the act of March 3, 1891, now exists and is fulfilled in respect to the citizens of the United States of Mexico.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twenty-seventh day of February, one thousand eight hundred and ninety-six and of the Independence of the United States the one hundred and twentieth.

[SEAL.]

GROVER CLEVELAND.

By the President:

RICHARD OLNEY

*Secretary of State.***1896.**

AGREEMENT BETWEEN RICHARD OLNEY, SECRETARY OF STATE OF THE UNITED STATES OF AMERICA, AND MATIAS ROMERO, ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED MEXICAN STATES, CONCERNING RIGHT TO PURSUE INDIANS ACROSS THE BOUNDARY LINE.

Signed at Washington June 4, 1896.

Agreement entered into in behalf of their respective Governments by Richard Olney, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United Mexican States, providing for the reciprocal crossing of the international boundary line by the troops of their respective Governments, in pursuit of Kid's band of hostile Indians, on the conditions hereinafter stated.

ARTICLE I.

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries when they are in close pursuit of Kid's band of hostile Indians on the conditions stated in the following articles.

ARTICLE II.

It is understood for the purpose of this agreement, that no Indian scout of the Government of the United States of America shall be allowed to cross the boundary line, unless he goes as a guide and trailer, unarmed and with the

proviso that, in no case, more than two scouts shall attend each company or detachment.

ARTICLE III.

The reciprocal crossing agreed upon in Article I shall only take place in the uninhabited or desert parts of said boundary line. For the purposes of this agreement the uninhabited or desert parts are defined to be all points that are at least ten kilometers distant from any encampment or town of either country.

ARTICLE IV.

No crossing of troops of either country shall take place from Capitán Leal, a town on the Mexican side of the Rio Grande, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

ARTICLE V.

The Commander of troops crossing the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he is about to enter.

ARTICLE VI.

The pursuing force shall retire to its own territory as soon as it shall have chastised Kid's band of hostile Indians, or have lost its trail; but if, during the pursuit of that band, it shall meet with other hostile Indians, it may chastise them as if those first named were concerned. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory for any time longer than is necessary to enable them to pursue the band whose trail they are following.

The temporary loss of the trail, owing to rain or any other accident, shall not be deemed sufficient cause for abandoning the pursuit or for withdrawing the pursuing force, when there is a reasonable prospect of soon finding the trail again by means of a continued movement.

ARTICLE VII.

Any abuses that may be committed by the forces crossing into the territory of the other nation, shall be punished by the Government to which such forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own territory, the said Government being further under obligation to withdraw the guilty parties from the frontier.

ARTICLE VIII.

In the case of offences committed by the inhabitants of one country against the force of the other that may be within the limits of the former, the Government of said country shall only be responsible to the Government of the other for denial of justice in the punishment of the guilty parties.

ARTICLE IX.

This provisional agreement shall remain in force until Kid's band of hostile Indians shall be wholly exterminated or rendered obedient to one of the two Governments.

ARTICLE X.

The Senate of the United Mexican States having authorized the President to conclude this agreement, it shall take effect immediately.

In testimony whereof we have signed this agreement this 4th day of June, 1896.

RICHARD OLNEY.
M. ROMERO.

1896.

CONVENTION EXTENDING THE DURATION OF THE CONVENTION OF MARCH 1, 1889,
CONCERNING THE WATER BOUNDARY BETWEEN THE TWO COUNTRIES.

Signed at Washington November 6, 1896; Ratification advised by the Senate December 10, 1896, ratified by the President of the United States December 15, 1896; ratifications exchanged at Washington December 23, 1896; proclaimed December 23, 1896.

Whereas the United States of America and the United States of Mexico desire to give full effect to the provisions of the Convention concluded and signed in Washington March 1, 1889, to facilitate the execution of the provisions contained in the Treaty signed by the two High Contracting Parties on the 12th of November, 1884, and to avoid the difficulties arising from the changes which are taking place in the beds of the Bravo del Norte and Colorado Rivers in those parts which serve as a boundary between the two Republics;

And whereas the period fixed by Article IX of the Convention of March 1, 1889, extended by that of October 1, 1895, expires on the 24th of December, 1896;

And whereas the two High Contracting Parties deem it expedient to extend the period fixed by Article IX of the Convention of March 1, 1889, and by the sole Article of the Convention of October 1, 1895, in order that the International Boundary Commission may be able to conclude the examination and decision of the cases which have been submitted to it, they have, for that purpose, appointed their respective plenipotentiaries, to wit:

The President of the United States of America, Richard Olney, Secretary of State of the United States of America; and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Article:

ARTICLE.

The duration of the Convention of March 1, 1889, signed by the United States of America and the United States of Mexico, which, according to the provisions of Article IX thereof, was to remain in force for five years, counting from the date of the exchange of its ratifications, which period was extended by the Convention of October 1, 1895, to December 24, 1896, is extended by the present Convention for the period of one year counting from this latter date.

This Convention shall be ratified by the two High Contracting Parties in conformity with their respective Constitutions, and the ratifications shall be exchanged in Washington as soon as possible.

IN TESTIMONY WHEREOF, we, the undersigned, by virtue of our respective powers, have signed this Convention in duplicate, in the English and Spanish languages, and have affixed our respective seals.

Done in the City of Washington on the 6th day of November of the year one thousand eight hundred and ninety-six.

RICHARD OLNEY. [SEAL.]
M. ROMERO. [SEAL.]

1897.

PROTOCOL CONCERNING CLAIMS OF OBERLANDER AND MESSENGER.

Signed March 2, 1897.

ARTICLES.

- I. Submission to arbitrator.
- II. Correspondence, proofs, etc.
- III. Arguments.

- IV. Decision.
- V. Compensation to arbitrator.
- VI. Finality of award.

Protocol of an agreement between the Secretary of State of the United States and the Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico for submission to an arbitrator of the claims of Charles Oberlander and Barbara M. Messenger.

The United States of America and the United States of Mexico, through their representatives, Richard Olney, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico, have agreed upon and signed the following protocol:—

Whereas the United States of America, on behalf of Charles Oberlander and Barbara M. Messenger, citizens of the United States of America, have claimed indemnity from the Government of Mexico for injuries alleged to have been done to the said Oberlander and Messenger by Mexican citizens, and whereas the United States of Mexico deny the allegations of fact upon which these claims are based and the right of the United States of America to demand indemnity for either of those parties,—it is therefore agreed between the two Governments, with the consent of the said Oberlander and Messenger, given through their respective attorneys of record.

I.

That the questions of law and of fact brought into issue between the two Governments in respect of these claims shall be referred to the decision of Señor Don Vicente G. Quesada, minister of the Argentine Republic at Madrid, who is hereby fully authorized thereto as arbitrator.

II.

That each Government shall submit to the arbitrator, within three months from the day on which both Governments shall receive official notice from Señor Don Vicente G. Quesada that he accepts the office of arbitrator by permission of his Government, copies of the correspondence, documents and proofs which it has already submitted for the consideration of the other Government in respect of the two claims; and that the arbitrator in making his award shall take into consideration only such issues of law and fact as arise upon said correspondence, documents and proofs.

III.

That each Government may submit with the papers above described an argument setting forth its own views of the two cases; but the arbitrator shall not be authorized or required to hear oral arguments or to call for new evidence: unless, after examining the documents submitted to him, he may deem it necessary to call for evidence or arguments elucidating a particular point not made clear to him.

IV.

The arbitrator shall render his decision within six months from the date of the submission to him of the proofs, documents, etc., by both parties. He shall decide on the proofs and arguments submitted to him whether the said Oberlander or the said Messenger is or is not entitled to any indemnification on the part of the Government of Mexico, and in case he shall decide this point affirmatively with respect of both or either of the two claimants he will fix the amount of the indemnity to which each or either is entitled; *Provided*, that the indemnity shall not in either case exceed the sum demanded by each claimant in the papers submitted by each to the United States.

V.

Reasonable compensation to the arbitrator, and the other common expenses occasioned by the arbitration shall be paid in equal moities by the two Governments.

VI.

Any award made by the arbitrator shall be final and conclusive, and if in favor of the claimants or of either of them and of the contention of the United States of America, the amount so awarded be paid by the Government of Mexico as soon as appropriated by the Mexican Congress, but not later than two years from the date of such award.

Done in duplicate at Washington this 2nd day of March, 1897.

RICHARD OLNEY.
M. ROMERO.

On the 19th day of November 1897 the Arbitrator rendered his award, in which he declared that the Government of the United States of Mexico is under no obligation to pay indemnity of any kind to Mr. Charles Oberlander or to Mrs. Barbara M. Messenger.

1897.

CONVENTION EXTENDING FOR A PERIOD OF ONE YEAR FROM DECEMBER 24, 1897, THE DURATION OF THE CONVENTION BETWEEN THE TWO HIGH CONTRACTING PARTIES OF MARCH 1, 1889, CONCERNING THE WATER BOUNDARY BETWEEN THE TWO COUNTRIES.

Signed at Washington October 29, 1897; ratification advised by the Senate December 16, 1897; ratified by the President of the United States December 20, 1897; ratifications exchanged at Washington December 21, 1897; proclaimed December 21, 1897.

Whereas the United States of America and the United States of Mexico desire to give full effect to the provisions of the Convention concluded and signed in Washington March 1, 1889, to facilitate the execution of the provisions contained in the Treaty signed by the two High Contracting Parties on the 12th of November, 1884, and to avoid the difficulties arising from the changes which are taking place in the beds of the Bravo del Norte and Colorado Rivers in those parts which serve as a boundary between the two Republics;

And whereas the period fixed by Article IX of the Convention of March 1, 1889, extended by the conventions of October 1, 1895, and November 6, 1896, expires on the 24th of December, 1897;

And whereas the two High Contracting Parties deem it expedient to extend the period fixed by Article IX of the Convention of March 1, 1889, and by the sole Article of the Convention of October 1, 1895, and that of November 6, 1896, in order that the International Boundary Commission may be able to conclude the examination and decision of the cases which have been submitted to it, they have, for that purpose, appointed their respective Plenipotentiaries, to wit:

The President of the United States of America, John Sherman, Secretary of State of the United States of America; and

The President of the United States of Mexico, Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United States of Mexico in Washington;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Article:

ARTICLE.

The duration of the Convention of March 1, 1889, signed by the United States of America and the United States of Mexico, which according to the provisions of Article IX thereof, was to remain in force for five years, counting from the date of the exchange of its ratifications, which period was extended by the Convention of October 1, 1895, to December 24, 1896, and by the Convention of November 6, 1896, to December 24, 1897, is extended by the present Convention for the period of one year counting from this last date.

This Convention shall be ratified by the two High Contracting Parties in conformity with their respective Constitutions, and the ratifications shall be exchanged in Washington as soon as possible.

In testimony whereof, we, the undersigned, by virtue of our respective powers, have signed this Convention in duplicate, in the English and Spanish languages, and have affixed our respective seals.

Done in the City of Washington, on the 29th day of October, of the year one thousand eight hundred and ninety-seven.

JOHN SHERMAN [SEAL]
M. ROMERO. [SEAL]

1898.

CONVENTION EXTENDING FOR A PERIOD OF ONE YEAR FROM DECEMBER 24, 1898, THE DURATION OF THE CONVENTION OF MARCH 1, 1889, BETWEEN THE TWO HIGH CONTRACTING PARTIES CONCERNING THE WATER BOUNDARY BETWEEN THE TWO COUNTRIES.

Signed at Washington December 2, 1898; ratification advised by the Senate December 8, 1898; ratified by the President of the United States December 12, 1898; ratifications exchanged at Washington February 2, 1899; proclaimed February 3, 1899.

Whereas the United States of America and the United States of Mexico desire to give full effect to the provisions of the Convention concluded and signed in Washington March 1, 1889, to facilitate the execution of the provisions contained in the Treaty signed by the two High Contracting Parties on the 12th of November, 1884, and to avoid the difficulties arising from the changes which are taking place in the beds of the Bravo del Norte and Colorado Rivers in those parts which serve as a boundary between the two Republics;

And whereas the period fixed by Article IX of the Convention of March 1, 1889, extended by the Conventions of October 1, 1895, and November 6, 1896 and October 29, 1897, expires on the 24th of December, 1898;

And whereas the two High Contracting Parties deem it expedient to extend the period fixed by Article IX of the Convention of March 1, 1889, and by the sole Article of the Convention of October 1, 1895, that of November 6, 1896 and that of October 29, 1897, in order that the International Boundary Commission may be able to conclude the examination and decision of the cases which have been submitted to it, they have, for that purpose, appointed their respective Plenipotentiaries, to wit:

The President of the United States of America, John Hay, Secretary of State of the United States of America; and

The President of the United States of Mexico, José F. Godoy, chargé d'affaires ad interim of the United States of Mexico at Washington;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Article:

ARTICLE.

The duration of the Convention of March 1, 1889, signed by the United States of America and the United States of Mexico, which according to the provisions of Article IX thereof, was to remain in force for five years, counting from the date of the exchange of its ratifications, which period was extended by the Convention of October 1, 1895, to December 24, 1896, by the Convention of November 6, 1896, to December 24, 1897, and by the Convention of October 29, 1897, to December 24, 1898, is extended by the present Convention for the period of one year counting from this last date.

This Convention shall be ratified by the two High Contracting Parties in conformity with their respective Constitutions, and the ratifications shall be exchanged in Washington as soon as possible.

In testimony whereof, we, the undersigned, by virtue of our respective powers, have signed this Convention in duplicate, in the English and Spanish languages, and have affixed our respective seals.

Done in the City of Washington, on the second day of December one thousand eight hundred and ninety-eight.

JOHN HAY [SEAL]
JOSE F. GODOY [SEAL]

1899.

EXTRADITION TREATY.

Concluded February 22, 1899; ratification advised by Senate March 2, 1899; ratified by President March 8, 1899; ratifications exchanged April 22, 1899; proclaimed April 24, 1899.

ARTICLES.

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| I. Delivery of accused. | XI. Officers of surrendering government. |
| II. Extraditable offenses. | XII. Prior offenses. |
| III. Nonextradition. | XIII. Trial; punishment; third country. |
| IV. Nondelivery of citizens. | XIV. Expenses. |
| V. Deferring extradition. | XV. Property found on fugitive. |
| VI. Persons claimed by other countries. | XVI. Transit over territory of third country. |
| VII. Political offenses. | XVII. Crimes by citizens of one against other contracting power. |
| VIII. Procedure. | XVIII. Effect. |
| IX. Frontier States. | XIX. Duration; ratification. |
| X. Provisional detention. | |

The United States of America and the United States of Mexico having judged it expedient, with a view to the better administration of justice and the prevention of crime within their respective territories and jurisdictions, that persons charged with or convicted of the crimes and offenses hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a new convention for that purpose, and have appointed as their plenipotentiaries—

The President of the United States of America, Powell Clayton, Ambassador Extraordinary and Plenipotentiary, of said United States, at Mexico, and the President of the United States of Mexico, Don Ignacio Mariscal, Secretary of Foreign Relations, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I.

The Government of the United States of America and the Government of the United States of Mexico mutually agree to deliver up persons who, having been charged with or convicted of any of the crimes and offenses specified in the following article, committed within the jurisdiction of one of the contracting parties, shall seek an asylum or be found within the territory of the other.

ARTICLE II.

Persons shall be delivered up, according to the provisions of this convention, who shall have been charged with, or convicted of, any of the following crimes or offenses:

1. Murder, comprehending the crimes known as parricide, assassination, poisoning and infanticide.
2. Rape.
3. Bigamy.
4. Arson.
5. Crimes committed at sea:
 - (a) Piracy, as commonly known and defined by the laws of nations.

(b) Destruction or loss of a vessel, caused intentionally: or conspiracy and attempt to bring about such destruction or loss, when committed by any person or persons on board of said vessel on the high seas.

(c) Mutiny or conspiracy by two or more members of the crew or other persons on board of a vessel on the high seas, for the purpose of rebelling against the authority of the captain or commander of such vessel, or by fraud, or by violence, taking possession of such vessel.

6. Burglary, defined to be the act of breaking and entering into the house of another in the night time, with intent to commit a felony therein.

7. The act of breaking into and entering public offices, or the offices of banks, banking houses, savings banks, trust companies, or insurance companies, with intent to commit theft therein, and also the thefts resulting from such acts.

8. Robbery, defined to be the felonious and forcible taking from the person of another of goods or money, by violence or by putting the person in fear.

9. Forgery or the utterance of forged papers.

10. The forgery, or falsification of the official acts of the Government or public authority, including courts of justice, or the utterance or fraudulent use of any of the same.

11. The fabrication of counterfeit money, whether coin or paper, counterfeit titles or coupons of public debt, bank notes, or other instruments of public credit; of counterfeit seals, stamps, dies, and marks of State or public administration, and the utterance, circulation, or fraudulent use of any of the above-mentioned objects.

12. The introduction of instruments for the fabrication of counterfeit coin or bank notes or other paper current as money.

13. Embezzlement or criminal malversation of public funds committed within the jurisdiction of either party by public officers or depositories.

14. Embezzlement of funds of a bank of deposit or savings bank, or trust company chartered under Federal or State laws.

15. Embezzlement by any person or persons hired or salaried, to the detriment of their employers, when the crime is subject to punishment by the laws of the place where it was committed.

16. Kidnapping of minors or adults, defined to be the abduction or detention of a person or persons in order to exact money from them or from their families, or for any other unlawful end.

17. Mayhem and any other willful mutilation causing disability or death.

18. The malicious and unlawful destruction or attempted destruction of railways, trains, bridges, vehicles, vessels, and other means of travel or of public edifices and private dwellings, when the act committed shall endanger human life.

19. Obtaining by threats of injury, or by false devices, money, valuables or other personal property, and the purchase of the same with the knowledge that they have been so obtained, when such crimes or offenses are punishable by imprisonment or other corporal punishment by the laws of both countries.

20. Larceny, defined to be the theft of effects, personal property, horses, cattle, or live stock, or money, of the value of twenty-five dollars or more, or receiving stolen property, of that value, knowing it to be stolen.

21. Extradition shall also be granted for the attempt to commit any of the crimes and offenses above enumerated, when such attempt is punishable as a felony by the laws of both contracting parties.

ARTICLE III.

Extradition shall not take place in any of the following cases:

1. When the evidence of criminality presented by the demanding party would not justify, according to the laws of the place where the fugitive or person so charged shall be found, his or her apprehension and commitment for trial, if the crime or offense had been there committed.

2. When the crime or offense charged shall be of a purely political character.

3. When the legal proceedings or the enforcement of the penalty for the

act committed by the person demanded has become barred by limitation according to the laws of the country to which the requisition is addressed.

4. When the extradition is demanded on account of a crime or offense for which the person demanded is undergoing or has undergone punishment in the country from which the extradition is demanded, or in case he or she shall have been prosecuted therein on the same charge and acquitted thereof; provided that, with the exception of the offenses included in clause 13 Article 2, of this convention, each contracting party agrees not to assume jurisdiction in the punishment of crimes committed exclusively within the territory of the other.

ARTICLE IV.

Neither of the contracting parties shall be bound to deliver up its own citizens under the stipulations of this convention, but the executive authority of each shall have the power to deliver them up, if, in its discretion, it be deemed proper to do so.

ARTICLE V.

If the person whose surrender may be claimed pursuant to the stipulations of the present convention shall have been accused or arrested for the commission of any offense in the country where he or she has sought asylum, or shall have been convicted thereof, his or her extradition may be deferred until he or she is entitled to be liberated on account of the offense charged, for any of the following reasons: Acquittal; expiration of term of imprisonment; expiration of the period to which the sentence may have been commuted, or pardon.

ARTICLE VI.

If a fugitive criminal claimed by one of the parties hereto shall be also claimed by one or more powers, pursuant to treaty provisions on account of crimes or offenses committed within their jurisdiction, such criminals shall be delivered up in preference in accordance with that demand which is the earliest in date.

ARTICLE VII.

A person who has been surrendered on account of one of the crimes or offenses mentioned in article 2 shall in no case be prosecuted and punished in the country in which his or her extradition has been granted, on account of a political crime or offense committed by him or her previous to his or her extradition, or on account of an act connected with such a political crime or offense, unless he or she has been at liberty to leave the country for one month after having been tried, and, in case of condemnation, for one month after having suffered his or her punishment, or having been pardoned.

An attempt against the life of the head of the Government shall not be considered a political offense.

ARTICLE VIII.

Requisitions for the surrender of fugitives from justice, under the present convention, shall be made by the respective diplomatic agents of the contracting parties, or, in the event of the absence of these from the country or from its seat of government, they may be made by superior consular officers.

If a person whose extradition is asked for shall have been convicted of a crime or offense, a copy of the sentence of the court in which he was convicted, authenticated under its seal, with attestation of the official character of the Judge by the proper executive authority, and of the latter by the minister or consul of the respective contracting party, shall accompany the requisition.

When, however, the fugitive shall have been merely charged with a crime or offense, a similarly authenticated and attested copy of the warrant for his arrest in the country where the crime or offense is charged to have been committed, and of the depositions upon which such warrant may have been issued, must accompany the requisition as aforesaid.

Whenever, in the schedule of crimes and offenses of article 2nd, it is provided that surrender shall depend on the fact of the crime or offense charged

being punishable by imprisonment or other corporal punishment according to the laws of both contracting parties, the party making the demand for extradition shall furnish, in addition to the documents above stipulated, an authenticated copy of the law of the demanding country defining the crime or offense, and prescribing a penalty therefor.

The formalities being fulfilled, the proper executive authority of the United States of America, or of the United Mexican States, as the case may be, shall then cause the apprehension of the fugitive, in order that he or she may be brought before the proper judicial authority for examination. If it should then be decided that, according to the law and the evidence, the extradition is due pursuant to the terms of this convention, the fugitive may be given up according to the forms of law prescribed in such cases.

ARTICLE IX.

In the case of crimes or offenses committed or charged to have been committed in the frontier states or territories of the two contracting parties, requisitions may be made either, through their respective diplomatic or consular agents as aforesaid, or through the chief civil authority of the respective state or territory, or through such chief civil or judicial authority of the districts or counties bordering on the frontier as may for this purpose be duly authorized by the said chief civil authority of the said frontier states or territories, or when, from any cause, the civil authority of such state or territory shall be suspended, through the chief military officer in command of such state or territory, and such respective competent authority shall thereupon cause the apprehension of the fugitive, in order that he may be brought before the proper judicial authority for examination; and the record of such examination, with the evidence, duly attested, shall be forwarded to the proper executive authority of the United States of America or of the United Mexican States, as the case may be; when it is found by such respective executive authority that, according to the law and the evidence, the extradition is due pursuant to the terms of this convention, the fugitive may be given up according to the forms of law prescribed in such cases.

ARTICLE X.

On being informed by telegraph or otherwise, through the diplomatic channel, that a warrant has been issued by competent authority for the arrest of a fugitive criminal charged with any of the crimes enumerated in the foregoing articles of this treaty, and on being assured from the same source that a requisition for the surrender of such criminal is about to be made accompanied by such warrant and duly authenticated depositions or copies thereof in support of the charge, each government shall endeavor to procure the provisional arrest of such criminal and to keep him in safe custody for such time as may be practicable, not exceeding forty days, to await the production of the documents upon which the claim for extradition is founded.

ARTICLE XI.

In every case of a demand made by either of the two contracting parties for the arrest, detention, or extradition of fugitive criminals, in pursuance of the provisions of this convention, the legal officers or fiscal ministry of the country where the proceedings of extradition are had shall assist the officers of the government demanding the extradition before the respective judges and magistrates, by every legal means within their or its power; and no claim whatever for compensation for any of the services so rendered shall be made against the government demanding the extradition; provided, however, that any officer or officers of the surrendering government so giving assistance, who shall in the usual course of their duties be compensated by specific fees for services performed in lieu of salary therefor, shall be entitled to receive from the government demanding the extradition the customary fees for the acts or services performed by them, in the same manner and to the same amount as

though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

ARTICLE XII.

A person surrendered under this convention shall not be tried or punished in the country to which his or her extradition has been granted, nor given up to a third power, for a crime or offense not provided for by this convention and committed previous to his or her extradition, unless the consent of the surrendering government be given for such trial or such surrender to a third power.

But such consent shall not be necessary:

(a) When the accused shall have voluntarily requested to be so tried or surrendered to a third power.

(b) When he or she shall have been free to leave the country during thirty days after discharge from custody because of the charge on which he or she was surrendered, or if convicted thereof during thirty days after having satisfied his or her penalty or having been pardoned.

ARTICLE XIII.

A person surrendered under this convention may be tried and punished in the country to which his extradition has been granted, or may be given up to a third power, for any crime or offense provided for by article 2 of this convention, and committed previous to his extradition, besides that which gave rise to the extradition. Notice of the purpose to so try or surrender him, with specification of the crime or offense charged, shall be given to the government which surrendered him, which may, if it thinks proper, require the production of documentary evidence of the charge conformably to the prescription of article VIII hereof.

ARTICLE XIV.

The expense of the arrest, detention, and transportation of the person claimed shall be paid by the government in whose name the requisition has been made.

ARTICLE XV.

All articles found in the possession of the accused party and obtained through the commission of the act with which he is charged, or that may be used as evidence of the crime or offense for which his extradition is demanded, shall be seized if the competent authority shall so order, and shall be surrendered with his person.

The rights of third parties to the articles so found shall nevertheless be respected.

ARTICLE XVI.

A person surrendered to or delivered up by either of the contracting parties by virtue of a convention of extradition with a third party and not being a citizen of the country of transit, may be conveyed in transit across the territory of the other, if the convenient course of travel from or to the country to which he has been surrendered shall lie in whole or part within such territory.

The contracting party delivering up or receiving such surrendered person shall make application for such purpose to the government of the country through which transit is desired, producing in support of such application a duly attested copy of the warrant of surrender issued by the government granting the extradition; and, thereupon, the proper executive authority of the country whose territory is to be so traversed may issue a warrant permitting the transit of the surrendered person transported. Such transit must be wholly accomplished within thirty days, counting from the date of the entrance of such transported person within the territory of the country of transit, after which time said person may be set at liberty if there found.

This article, shall not, however, take effect until the Congress of the respective countries shall by law authorize such transit, and the issue of a warrant therefor.

ARTICLE XVII.

Each of the contracting parties shall exercise due diligence in procuring the extradition and prosecution of its citizens who may be charged with the commission of any one of the crimes or offenses mentioned in article II, exclusively committed in its territory against the government or any of the citizens of the other contracting party, when the person accused may have taken refuge or be found within the territory of the latter, provided the said crime or offense is one that is punishable, as such, in the territory of the demanding country.

ARTICLE XVIII.

The present convention shall take effect from the date of the exchange of ratifications, but its provisions shall be applied to all cases of crimes or offenses enumerated in article II which may have been committed since the 24th day of January, 1899.

ARTICLE XIX.

The convention shall continue in effect until six months after a desire for its termination shall have been expressed in due form by one of the two governments to the other.

It shall be ratified by both contracting parties, and its ratifications shall be exchanged at the City of Mexico as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the present convention both in the English and Spanish languages and thereunto affixed their seals.

Done in duplicate at the City of Mexico this 22nd day of February, 1899.

POWELL CLAYTON [SEAL]

IGNO MARISCAL [SEAL]

1899.

BOUNDARY.

CONVENTION EXTENDING FOR A PERIOD OF ONE YEAR FROM DECEMBER 24, 1899, THE PROVISIONS OF THE CONVENTION OF MARCH 1, 1889 TO FACILITATE THE EXECUTION OF THE TREATY OF NOVEMBER 12, 1884, AND TO AVOID DIFFICULTIES ARISING FROM CHANGES IN THE BEDS OF THE DEL NORTE AND COLORADO RIVERS.

Signed at Washington December 22, 1899; ratification advised by the Senate February 8, 1900; ratified by the President February 14, 1900; ratifications exchanged May 5, 1900; proclaimed May 7, 1900.

Whereas the United States of America and the United States of Mexico desire to give full effect to the provisions of the Convention concluded and signed in Washington March 1, 1889, to facilitate the execution of the provisions contained in the Treaty signed by the two High Contracting Parties on the 12th of November, 1884, and to avoid the difficulties arising from the changes which are taking place in the beds of the Bravo del Norte and Colorado Rivers in those parts which serve as a boundary between the two Republics;

And whereas the period fixed by Article IX of the Convention of March 1, 1889, extended by the Conventions of October 1, 1895, November 6, 1896, October 29, 1897, and December 2, 1898, expires on the 24th of December, 1899.

And whereas the two High Contracting Parties deem it expedient to extend the period fixed by Article IX of the Convention of March 1, 1889, and by the sole Article of the Convention of October 1, 1895, that of November 6, 1896, that of October 29, 1897 and that of December 2, 1898, in order that the International Boundary Commission may be able to conclude the examination and decision of the cases which have been submitted to it, they have, for that purpose, appointed their respective Plenipotentiaries, to wit:

The President of the United States of America, John Hay, Secretary of State for the United States of America; and

The President of the United States of Mexico, Manuel de Azpiroz, Ambassador Extraordinary and Plenipotentiary of the United States of Mexico at Washington;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Article:

ARTICLE.

The duration of the Convention of March 1, 1889, signed by the United States of America and the United States of Mexico, which according to the provisions of Article IX thereof, was to remain in force for five years, counting from the date of the exchange of its ratifications, which period was extended by the Convention of October 1, 1895, to December 24, 1896, by the Convention of November 6, 1896, to December 24, 1897, by the Convention of October 29, 1897 to December 24, 1898, and by the Convention of December 2, 1898, to December 24, 1899, is extended by the present Convention for the period of one year counting from this last date.

This Convention shall be ratified by the two High Contracting Parties in conformity with their respective Constitutions, and the ratifications shall be exchanged in Washington as soon as possible.

In testimony whereof, we, the undersigned, by virtue of our respective powers, have signed this Convention in duplicate, in the English and Spanish languages, and have affixed our respective seals.

Done in the City of Washington, on the twenty-second day of December one thousand eight hundred and ninety-nine.

JOHN HAY [SEAL.]
M. DE AZPÍROZ [SEAL.]

1900.

WATER BOUNDARY CONVENTION.

Concluded November 21, 1900; ratification advised by Senate December 15, 1900; ratified by President December 24, 1900; ratifications exchanged December 24, 1900; proclaimed December 24, 1900.

Whereas the United States of America and the United States of Mexico desire to give full effect to the provisions of the Convention concluded and signed in Washington March 1, 1889, to facilitate the execution of the provisions contained in the Treaty signed by the two High Contracting Parties on the 12th of November 1884, and to avoid the difficulties arising from the changes which are taking place in the beds of the Bravo del Norte and Colorado Rivers in those parts which serve as a boundary between the two Republics;

And whereas the period fixed by Article IX of the Convention of March 1, 1889, extended by the Conventions of October 1, 1895, November 6, 1896, October 29, 1897, December 2, 1898, and December 22, 1899, expires on the 24th of December, 1900;

And whereas the two High Contracting Parties deem it expedient to indefinitely continue the period fixed by Article IX of the Convention of March 1, 1889, and by the sole article of the Convention of October 1, 1895, that of November 6, 1896, that of October 29, 1897, that of December 2, 1898, and that of December 22, 1899, in order that the International Boundary Commission may be able to continue the examination and decision of the cases submitted to it, they have, for that purpose, appointed their respective Plenipotentiaries, to wit:

The President of the United States of America, John Hay, Secretary of State of the United States of America; and

The President of the United States of Mexico, Manuel de Azpíroz, Ambassador Extraordinary and Plenipotentiary of the United States of Mexico at Washington;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Article:

ARTICLE.

The said Convention of March 1, 1889, as extended on the several dates above mentioned, and the Commission established thereunder shall continue in force and effect indefinitely, subject, however, to the right of either contracting party to dissolve the said Commission by giving six months' notice to the other; but such dissolution of the Commission shall not prevent the two governments from thereafter agreeing to revive the said Commission, or to reconstitute the same, according to the terms of the said Convention; and the said convention of March 1, 1889, as hereby continued, may be terminated twelve months after notice of a desire for its termination shall have been given in due form by one of the two contracting parties to the other.

This Convention shall be ratified by the two High Contracting Parties in conformity with their respective Constitutions, and the ratifications shall be exchanged in Washington as soon as possible.

In testimony whereof, we, the undersigned, by virtue of our respective powers, have signed this Convention in duplicate, in the English and Spanish languages, and have affixed our respective seals.

Done in the City of Washington on the 21st day of November, one thousand nine hundred.

JOHN HAY [SEAL.]
M. DE AZPÍROZ [SEAL.]

1902.

SUPPLEMENTARY EXTRADITION CONVENTION.

Concluded June 25, 1903; ratification advised by Senate March 11, 1903; ratified by President March 18, 1903; ratifications exchanged March 28, 1903; proclaimed April 3, 1903.

ARTICLE.

Extraditable offense; bribery.

The United States of America and the United States of Mexico being desirous to add the crime of bribery to the list of crimes or offenses on account of which extradition may be granted under the Convention concluded between the two countries on the 22nd day of February, 1899, with a view to the better administration of justice and the prevention of crime in their respective territories and jurisdictions, have resolved to conclude a Supplementary Convention for this purpose and have appointed as their Plenipotentiaries, to-wit:

The President of the United States of America, Powell Clayton Ambassador Extraordinary and Plenipotentiary of said United States at Mexico, and

The President of the United States of Mexico, Don Ignacio Mariscal, Secretary of Foreign Relations.

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following:

ARTICLE.

The following crime is added to the list of crimes or offenses numbered 1 to 20 in the second Article of the said Convention of February 22, 1899, on account of which extradition may be granted, that is to say:

Bribery, defined to be the giving, offering or receiving of a reward to influence one in the discharge of a legal duty.

The present Convention shall be ratified and the ratifications shall be exchanged at the City of Mexico as soon as possible.

It shall come into force ten days after its publication in conformity with the laws of the High Contracting Parties, and it shall continue and terminate in the same manner as the said Convention of February 22, 1899.

In testimony whereof the respective Plenipotentiaries have signed the present Convention in duplicate and have hereunto affixed their seals.

Done in duplicate at the City of Mexico, in the English and Spanish languages, this twenty-fifth day of June one thousand nine hundred and two.

[SEAL.]

POWELL CLAYTON

[SEAL.]

IGNO. MARISCAL

1902.

PROTOCOL FOR THE ADJUSTMENT OF CERTAIN CONTENTIONS ARISING UNDER WHAT IS KNOWN AS "THE PIOUS FUND OF THE CALIFORNIAS."

Signed May 22, 1902.

ARTICLES.

- | | |
|---|------------------------------|
| I. Reference to special tribunal. | VIII. Additional evidence. |
| II. Special tribunal. | IX. Meeting. |
| III. Procedure. | X. Award; manner of payment. |
| IV. Mutual rights to documents. | XI. Admission of facts. |
| V. Oral testimony. | XII. Expenses. |
| VI. Submission of claim. | XIII. Revision. |
| VII. Submission of opposition to claim. | |

Whereas, under and by virtue of the provisions of a convention entered into between the High Contracting Parties above named, of date July 4, 1868, and subsequent conventions supplementary thereto, there was submitted to the Mixed Commission provided for by said Convention, a certain claim advanced by and on behalf of the prelates of the Roman Catholic Church of California against the Republic of Mexico for an annual interest upon a certain fund known as "The Pious Fund of the Californias," which interest was said to have accrued between February 2, 1848, the date of the signature of the Treaty of Guadalupe Hidalgo, and February 1, 1869, the date of the exchange of the ratifications of said Convention above referred to; and

Whereas, said Mixed Commission, after considering said claim, the same being designated as No. 493 upon its docket, and entitled Thaddeus Amat, Roman Catholic Bishop of Monterey, a corporation sole, and Joseph S. Alemany, Roman Catholic Bishop of San Francisco, a corporation sole, against The Republic of Mexico, adjudged the same adversely to the Republic of Mexico and in favor of said claimants, and made an award thereon of Nine Hundred and Four Thousand, Seven Hundred and 99/100 (904,700.99) Dollars; the same, as expressed in the findings of said Court, being for twenty-one years' interest of the annual amount of Forty-three Thousand and Eighty and 99/100 (43,080.99) Dollars upon Seven Hundred and Eighteen Thousand and Sixteen and 50/100 (718,016.50) Dollars said award being in Mexican gold dollars, and the said amount of Nine Hundred and Four Thousand, Seven Hundred and 99/100 (904,700.99) Dollars having been fully paid and discharged in accordance with the terms of said conventions; and

Whereas, the United States of America on behalf of said Roman Catholic Bishops, above named, and their successors in title and interest, have since such award claimed from Mexico further instalments of said interest, and have insisted that the said claim was conclusively established, and its amount fixed as against Mexico and in favor of said original claimants and their successors in title and interest under the said first mentioned convention of 1868 by force of the said award as *res judicata*; and have further contended that apart from such former award their claim against Mexico was just, both of which propositions are contraverted and denied by the Republic of Mexico, and the High

Contracting Parties hereto, animated by a strong desire that the dispute so arising may be amicably, satisfactorily and justly settled, have agreed to submit said controversy to the determination of Arbitrators, who shall, unless otherwise herein expressed, be controlled by the provisions of the International Convention for the pacific settlement of international disputes, commonly known as The Hague Convention, and which arbitration shall have power to determine:

1. If said claim, as a consequence of the former decision, is within the governing principle of *res judicata*; and,

2. If not, whether the same be just.

And to render such judgment or award as may be meet and proper under all the circumstances of the case.

It is therefore agreed by and between the United States of America through their representative, John Hay, Secretary of State of the United States of America, and the Republic of Mexico, through its representative, Manuel de Azpiroz, Ambassador Extraordinary and Plenipotentiary to the United States of America for the Republic of Mexico as follows:

I.

That the said contentions be referred to the special tribunal hereinafter provided, for examination, determination and award.

II.

The special tribunal hereby constituted shall consist of four arbitrators, (two to be named by each of the High Contracting Parties) and an umpire to be selected in accordance with the provisions of the Hague Convention. The arbitrators to be named hereunder shall be signified by each of the High Contracting Parties to the other within sixty days after the date of this protocol. None of those so named shall be a native or citizen of the parties hereto. Judgment may be rendered by a majority of said court.

All vacancies occurring among the members of said court because of death, retirement or disability from any cause before a decision shall be reached, shall be filled in accordance with the method of appointment of the member affected as provided by said Hague Convention, and if occurring after said court shall have first assembled, will authorize in the judgment of the court an extension of time for hearing or judgment, as the case may be, not exceeding thirty days.

III.

All pleadings, testimony, proofs, arguments of counsel and findings or awards of commissioners or umpire, filed before or arrived at by the Mixed Commission above referred to, are to be placed in evidence before the Court hereinbefore provided for, together with all correspondence between the two countries relating to the subject matter involved in this arbitration; originals or copies thereof duly certified by the Departments of State of the High Contracting Parties being presented to said new tribunal. Where printed books are referred to in evidence by either party, the party offering the same shall specify volume, edition and page of the portion desired to be read, and shall furnish the Court in print the extracts relied upon; their accuracy being attested by affidavit. If the original work is not already on file as a portion of the record of the former Mixed Commission, the book itself shall be placed at the disposal of the opposite party in the respective offices of the Secretary of State or of the Mexican Ambassador in Washington, as the case may be, thirty days before the meeting of the tribunal herein provided for.

IV.

Either party may demand from the other the discovery of any fact or of any document deemed to be or to contain material evidence for the party asking it; the document desired to be described with sufficient accuracy for identification, and the demanded discovery shall be made by delivering a statement of the fact or by depositing a copy of such document (certified

by its lawful custodian, if it be a public document, and verified as such by the possessor, if a private one), and the opposite party shall be given the opportunity to examine the original in the City of Washington at the Department of State, or at the office of the Mexican Ambassador, as the case may be. If notice of the desired discovery be given too late to be answered ten days before the tribunal herein provided for shall sit for hearing, then the answer desired thereto shall be filed with or documents produced before the court herein provided for as speedily as possible.

V.

Any oral testimony additional to that in the record of the former arbitration may be taken by either party before any Judge, or Clerk of Court of Record, or any Notary Public, in the manner and with the precautions and conditions prescribed for that purpose in the rules of the Joint Commission of the United States of America, and the Republic of Mexico, as ordered and adopted by that tribunal August 10, 1869, and so far as the same may be applicable. The testimony when reduced to writing, signed by the witness, and authenticated by the officer before whom the same is taken, shall be sealed up, addressed to the court constituted hereby, and deposited so sealed up in the Department of State of the United States, or in the Department of Foreign Relations of Mexico to be delivered to the Court herein provided for when the same shall convene.

VI.

Within sixty days from the date hereof the United States of America, through their agent or counsel, shall prepare and furnish to the Department of State aforesaid, a memorial in print of the origin and amount of their claim, accompanied by references to printed books, and to such portions of the proofs or parts of the record of the former arbitration, as they rely on in support of their claim, delivering copies of the same to the Embassy of the Republic of Mexico in Washington, for the use of the agent or counsel of Mexico.

VII.

Within forty days after the delivery thereof to the Mexican Embassy the agent or counsel for the Republic of Mexico shall deliver to the Department of State of the United States of America in the same manner and with like references a statement of its allegations and grounds of opposition to said claim.

VIII.

The provisions of paragraphs VI and VII shall not operate to prevent the agents or counsel for the parties hereto from relying at the hearing or submission upon any documentary or other evidence which may have become open to their investigation and examination at a period subsequent to the times provided for service of memorial and answer.

IX.

The first meeting of the arbitral court hereinbefore provided for shall take place for the selection of an umpire on September 1, 1902, at the Hague in the quarters which may be provided for such purpose by the International Bureau at the Hague, constituted by virtue of the Hague convention hereinbefore referred to, and for the commencement of its hearings September 15, 1902, is designated, or, if an umpire may not be selected by said date, then as soon as possible thereafter, and not later than October 15, 1902, at which time and place and at such other times as the court may set (and at Brussels if the court should determine not to sit at the Hague) explanations and arguments shall be heard or presented as the court may determine, and the cause be submitted. The submission of all arguments, statements of facts, and documents shall be concluded within thirty days after the time provided for the meeting of the court for hearing (unless the court shall order an ex-

tension of not to exceed thirty days) and its decision and award announced within thirty days after such conclusion, and certified copies thereof delivered to the agents or counsel of the respective parties and forwarded to the Secretary of State of the United States and the Mexican Ambassador at Washington, as well as filed with the Netherland Minister for Foreign Affairs.

X.

Should the decision and award of the tribunal be against the Republic of Mexico, the findings shall state the amount and in what currency the same shall be payable, and shall be for such amount as under the contentions and evidence may be just. Such final award, if any, shall be paid to the Secretary of State of the United States of America within eight months from the date of its making.

XI.

The agents and counsel for the respective parties may stipulate for the admission of any facts, and such stipulation, duly signed, shall be accepted as proof thereof.

XII.

Each of the parties hereto shall pay its own expenses, and one-half of the expenses of the arbitration, including the pay of the arbitrators; but such costs shall not constitute any part of the judgment.

XIII.

Revision shall be permitted as provided in Article LV of The Hague Convention, demand for revision being made within eight days after announcement of the award. Proofs upon such demand shall be submitted within ten days after revision be allowed (revision only being granted, if at all, within five days after demand therefor) and counterproofs within the following ten days, unless further time be granted by the Court. Arguments shall be submitted within ten days after the presentation of all proofs, and a judgment or award given within ten days thereafter. All provisions applicable to the original judgment or award shall apply as far as possible to the judgment or award on revision. *Provided* that all proceedings on revision shall be in the French language.

XIV.

The award ultimately given hereunder shall be final and conclusive as to the matters presented for consideration.

Done in duplicate in English and Spanish at Washington, this 22nd day of May, A. D. 1902.

JOHN HAY	[SEAL]
M. DE AZPIROZ	[SEAL]

On October 14, 1902, the Tribunal of Arbitration, under the foregoing Protocol, rendered its award at The Hague, deciding:

That the Government of the Republic of Mexico must pay to the Government of the United States of America the sum of \$1,420,682.67, Mexican in money having legal currency in Mexico, within the period fixed by Article X of the protocol of Washington of May 22, 1902; that this sum of \$1,420,682.67 will totally extinguish the annuities accrued and not paid by the Government of the Mexican Republic,—that is to say the annuity of \$43,050.99, Mexican, from February 2, 1869, to February 2, 1902; and that the Government of Mexico shall pay to the Government of the United States on February 2, 1903, and each following year on the same date perpetually the annuity of \$43,050.99 Mexican.

1905.

CONVENTION FOR THE ELIMINATION OF THE BANCOS IN THE RIO GRANDE FROM THE EFFECTS OF ARTICLE II OF THE TREATY OF NOVEMBER 12, 1884.

Concluded March 20, 1905; ratifications advised by the Senate February 28, 1907; ratified by the President March 13, 1907; ratifications exchanged May 31, 1907; proclaimed June 5, 1907.

ARTICLES.

I. Elimination of "Bancos."

II. International commission.

III. Formation of future bancos.

IV. Reciprocal rights of citizens.

V. Ratification.

Whereas, for the purpose of obviating the difficulties arising from the application of Article V of the Treaty of Guadalupe-Hidalgo, dated February 2, 1848, and Article I of the Treaty of December 30, 1853, both concluded between the United States of America and Mexico—difficulties growing out of the frequent changes to which the beds of the Rio Grande and Colorado River are subject—there was signed in Washington on November 12, 1884, by the Plenipotentiaries of the United States and Mexico, a convention containing the following stipulations:

"ARTICLE I.—The dividing line shall forever be that described in the aforesaid Treaty and follow the center of the normal channel of the rivers named, notwithstanding any alterations in the banks or in the course of those rivers, provided that such alterations be effected by natural causes through the slow and gradual erosion and deposit of alluvium and not by the abandonment of an existing river bed and the opening of a new one.

"ARTICLE II.—Any other change, wrought by the force of the current whether by the cutting of a new bed, or when there is more than one channel by the deepening of another channel than that which marked the boundary at the time of the survey made under the aforesaid Treaty, shall produce no change in the dividing line as fixed by the surveys of the International Boundary Commissions in 1852, but the line then fixed shall continue to follow the middle of the original channel bed, even though this should become wholly dry or be obstructed by deposits."

Whereas, as a result of the topographical labors of the Boundary Commission created by the Convention of March 1, 1889, it has been observed that there is a typical class of changes effected in the bed of the Rio Grande, in which, owing to slow and gradual erosion, coupled with avulsion, said river abandons its old channel and there are separated from it small portions of land known as "bancos" bounded by the said old bed, and which, according to the terms of Article II of the aforementioned Convention of 1884, remain subject to the dominion and jurisdiction of the country from which they have been separated;

Whereas, said "bancos" are left at a distance from the new river bed, and, by reason of the successive deposits of alluvium, the old channel is becoming effaced, the land of said "bancos" becomes confused with the land of the "bancos" contiguous thereto, thus giving rise to difficulties and controversies, some of an international and others of private character;

Whereas, the labors of the International Boundary Commission, undertaken with the object of fixing the boundary line with reference to the "bancos," have demonstrated that the application to these "bancos" of the principle established in Article II of the Convention of 1884 renders difficult the solution of the controversies mentioned, and, instead of simplifying, complicates the said boundary line between the two countries:

Therefore, the Governments of the United States of America and the United States of Mexico, being desirous to enter into a convention to establish more fitting rules for the solution of such difficulties, have appointed as their Plenipotentiaries—

That of the United States of America, Alvey A. Adee, Acting Secretary of State of the United States;

That of the United States of Mexico, its Ambassador Extraordinary and Plenipotentiary, Licenciado Don Manuel de Azpíroz;

Who, after exhibiting their full powers, found to be in good and due form, have agreed to the following articles:

ARTICLE I.

The fifty-eight (58) bancos surveyed and described in the report of the consulting engineers, dated May 30, 1898, to which reference is made in the record of proceedings of the International Boundary Commission, dated June 14, 1898, and which are drawn on fifty-four (54) maps on a scale of one to five thousand (1 to 5,000), and three index maps, signed by the Commissioners and by the Plenipotentiaries appointed by the convention, are hereby eliminated from the effects of Article II of the Treaty of November 12, 1884.

Within the part of the Rio Grande comprised between its mouth and its confluence with the San Juan River the boundary line between the two countries shall be the broken red line shown on the said maps—that is, it shall follow the deepest channel of the stream—and the dominion and jurisdiction of so many of the aforesaid fifty-eight (58) bancos as may remain on the right bank of the river pass to Mexico, and the dominion and jurisdiction of those of the said fifty-eight (58) bancos which may remain on the left bank shall pass to the United States of America.

ARTICLE II.

The International Commission shall, in the future, be guided by the principle of elimination of the bancos established in the foregoing article, with regard to the labors concerning the boundary line throughout that part of the Rio Grande and the Colorado River which serves as a boundary between the two nations. There are hereby excepted from this provision the portions of land segregated by the change in the bed of the said rivers having an area of over two hundred and fifty (250) hectares, or a population of over two hundred (200) souls, and which shall not be considered as bancos for the purposes of this treaty and shall not be eliminated, the old bed of the river remaining, therefore, the boundary in such cases.

ARTICLE III.

With regard to the bancos which may be formed in future, as well as to those already formed but which are not yet surveyed, the Boundary Commission shall proceed to the places where they have been formed, for the purpose of duly applying Articles I and II of the present convention, and the proper maps shall be prepared in which the changes that have occurred shall be shown, in a manner similar to that employed in the preparation of the maps of the aforementioned fifty-eight (58) bancos.

As regards these bancos, as well as those already formed but not surveyed, and those that may be formed in future, the Commission shall mark on the ground, with suitable monuments, the bed abandoned by the river, so that the boundaries of the bancos shall be clearly defined.

On all separated land on which the successive alluvium deposits have caused to disappear those parts of the abandoned channel which are adjacent to the river, each of the extremities of said channel shall be united by means of a straight line to the nearest part of the bank of the same river.

ARTICLE IV.

The citizens of either of the two contracting countries who, by virtue of the stipulations of this convention, shall in future be located on the land of the other may remain thereon or remove at any time to whatever place may suit them, and either keep the property which they possess in said territory or dispose of it. Those who prefer to remain on the eliminated bancos may either preserve the title and rights of citizenship of the country to which the said bancos formerly belonged, or acquire the nationality of the country to which they will belong in the future.

Property of all kinds situated on the said bancos shall be inviolably respected, and its present owners, their heirs, and those who may subsequently acquire the property legally, shall enjoy as complete security with respect thereto as if it belonged to citizens of the country where it is situated.

ARTICLE V.

This convention shall be ratified by the two high contracting parties in accordance with their respective Constitutions, and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, we, the undersigned, by virtue of our respective powers, have signed the present convention, both in the English and Spanish languages, and have thereunto affixed our seals.

Done in duplicate, at the City of Washington, this 20th day of March, one thousand nine hundred and five.

ALVEY A. ADEE [SEAL]

M. DE AZPIROZ [SEAL]

1906.

CONVENTION PROVIDING FOR THE EQUITABLE DISTRIBUTION OF THE WATERS OF THE RIO GRANDE FOR IRRIGATION PURPOSES.

Concluded May 21, 1906; ratification advised by the Senate June 26, 1906; ratified by the President December 26, 1906; ratifications exchanged January 16, 1907; proclaimed January 16, 1907.

ARTICLES.

- I. Delivery of waters to Mexico.
- II. Distribution of the waters.
- III. Cost of delivery and storing.
- IV. Waiver of claims by Mexico.

- V. Treaty not to constitute basis for claims.
- VI. Ratification.

The United States of America and the United States of Mexico being desirous to provide for the equitable distribution of the waters of the Rio Grande for irrigation purposes, and to remove all causes of controversy between them in respect thereto, and being moved by considerations of international comity, have resolved to conclude a Convention for these purposes and have named as their Plenipotentiaries:

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

The President of the United States of Mexico, His Excellency Señor Don Joaquín D. Casasús, Ambassador Extraordinary and Plenipotentiary of the United States of Mexico at Washington;

Who, after having exhibited their respective full powers, which were found to be in good and due form, have agreed upon the following articles:

ARTICLE I.

After the completion of the proposed storage dam near Engle, New Mexico, and the distributing system auxiliary thereto, and as soon as water shall be available in said system for the purpose, the United States shall deliver to Mexico a total of 60,000 acre-feet of water annually, in the bed of the Rio Grande at the point where the head works of the Acequia Madre, known as the Old Mexican Canal, now exist above the city of Juarez, Mexico.

ARTICLE II.

The delivery of the said amount of water shall be assured by the United States and shall be distributed through the year in the same proportions as the water supply proposed to be furnished from the said irrigation system to lands in the United States in the vicinity of El Paso, Texas, according to the following schedule, as nearly as may be possible:

	Acre-feet per month	Corresponding Cubic Feet of Water
January.....	0	0
February.....	1,090	47,480,400
March.....	5,460	237,837,600
April.....	12,000	522,720,000
May.....	12,000	522,720,000
June.....	12,000	522,720,000
July.....	8,180	356,320,800
August.....	4,370	190,357,200
September.....	3,270	142,441,200
October.....	1,090	47,480,400
November.....	540	23,522,400
December.....	0	0
Total for the year.....	60,000 acre-feet	2,613,600,000 cubic feet

In case, however, of extraordinary drought or serious accident to the irrigation system in the United States, the amount delivered to the Mexican Canal shall be diminished in the same proportion as the water delivered to lands under said irrigation system in the United States.

ARTICLE III.

The said delivery shall be made without cost to Mexico, and the United States agrees to pay the whole cost of storing the said quantity of water to be delivered to Mexico, of conveying the same to the international line, of measuring the said water, and of delivering it in the river bed above the head of the Mexican Canal. It is understood that the United States assumes no obligation beyond the delivering of the water in the bed of the river above the head of the Mexican Canal.

ARTICLE IV.

The delivery of water as herein provided is not to be construed as a recognition by the United States of any claim on the part of Mexico to the said waters; and it is agreed that in consideration of such delivery of water, Mexico waives any and all claims to the waters of the Rio Grande for any purpose whatever between the head of the present Mexican Canal and Fort Quitman, Texas, and also declares fully settled and disposed of, and hereby waives, all claims heretofore asserted or existing, or that may hereafter arise, or be asserted, against the United States on account of any damages alleged to have been sustained by the owners of land in Mexico, by reason of the diversion by citizens of the United States of waters of the Rio Grande.

ARTICLE V.

The United States, in entering into this treaty, does not thereby concede, expressly or by implication, any legal basis for any claims heretofore asserted or which may be hereafter asserted by reason of any losses incurred by the owners of land in Mexico due or alleged to be due to the diversion of the waters of the Rio Grande within the United States; nor does the United States in any way concede the establishment of any general principle or precedent by the concluding of this treaty. The understanding of both parties is that the arrangement contemplated by this treaty extends only to the portion of the Rio Grande which forms the international boundary, from the head of the Mexican Canal down to Fort Quitman, Texas, and in no other case.

ARTICLE VI.

The present Convention shall be ratified by both contracting parties in accordance with their constitutional procedure, and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the Convention both in the English and Spanish languages and have thereunto affixed their seals.

Done in duplicate at the City of Washington, this 21st day of May, one thousand nine hundred and six.

ELIHU ROOT [SEAL.]
JOAQUIN D. CASASUS [SEAL.]

1908.

ARBITRATION CONVENTION.

Signed at Washington, March 24, 1908; ratification advised by the Senate, April 2, 1908; ratified by the President, May 29, 1908; ratifications exchanged at Washington, June 27, 1908; proclaimed June 29, 1908.

ARTICLES.

- | | |
|-----------------------------------|-------------------|
| I. Differences to be submitted. | IV. Ratification. |
| II. Special agreement. | V. Duration. |
| III. Treaty of Guadalupe-Hidalgo. | |

The Government of the United States of America and the Government of Mexico, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th of July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have authorized the Undersigned to conclude the following arrangement:

ARTICLE I.

Differences which may arise whether of a legal nature or relative to the interpretation of the treaties existing between the two contracting parties and which it may not have been possible to settle by diplomacy, in case no other arbitration should have been agreed upon, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July 1899, provided that they do not affect the vital interests, the independence, or the honor of either of the contracting parties and do not prejudice the interests of a third party.

ARTICLE II.

In each individual case, the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements shall be made by the Presidents of both contracting countries by and with the advice and consent of their respective Senates.

ARTICLE III.

The foregoing stipulations in no wise annul, but on the contrary define, confirm and continue in effect the declarations and rules contained in Article XXI of the Treaty of peace, friendship and boundaries between the United States and Mexico signed at the city of Guadalupe Hidalgo on the second of February one thousand eight hundred and forty-eight.

ARTICLE IV.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the Government of Mexico in accordance with its constitution and laws. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

ARTICLE V.

The present Convention is concluded for a period of five years dating from the day of the exchange of its ratifications.

Done in duplicate at the City of Washington, in the English and Spanish languages, this twenty-fourth day of March in the year 1908.

ELIHU ROOT	[SEAL.]
JOSE F. GODOY	[SEAL.]

APPENDIX VIII

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